United Nations S/PV.6427

Security Council

Sixty-fifth year

Provisional

6427th meeting

Monday, 22 November 2010, 10 a.m.

New York

President:	Sir Mark Lyall Grant	(United Kingdom of Great Britain and Northern Ireland)
Members:	Austria	Mr. Mayr-Harting
	Bosnia and Herzegovina	Mr. Barbalić
	Brazil	Mrs. Viotti
	China	Mr. Wang Min
	France	Mr. Briens
	Gabon	Mr. Issoze-Ngondet
	Japan	Mr. Kodama
	Lebanon	Ms. Ziade
	Mexico	Mr. Puente
	Nigeria	Mr. Onemola
	Russian Federation	Mr. Karev
	Turkey	Mr. Apakan
	Uganda	Mr. Rugunda
	United States of America	Mrs. DiCarlo

Agenda

Protection of civilians in armed conflict

Report of the Secretary-General on the protection of civilians in armed conflict (S/2010/579)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-506.

10-64592 (E)

Please recycle

The meeting was called to order at 10.05 a.m.

Adoption of the agenda

The agenda was adopted.

Protection of civilians in armed conflict

Report of the Secretary-General on the protection of civilians in armed conflict (S/2010/579)

The President: I should like to inform the Council that I have received letters from the representatives of Afghanistan, Argentina, Armenia, Australia, Azerbaijan, Bangladesh, Botswana, Canada, Chile, Colombia, Costa Rica, Egypt, Georgia, Germany, Ghana, India, Indonesia, Israel, Italy, Liechtenstein, Morocco, Norway, Pakistan, Peru, the Philippines, Portugal, the Republic of Korea, Slovenia, Sri Lanka, the Sudan, Switzerland, the Syrian Arab Republic, Uruguay and the Bolivarian Republic of Venezuela, in which they request to be invited to participate in the consideration of the item on the Council's agenda. In accordance with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the consideration of the item, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, the representatives of the aforementioned countries took the seats reserved for them at the side of the Council Chamber.

The President: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend invitations under rule 39 of its provisional rules of procedure to Ms. Valerie Amos, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, and Mr. Alain Le Roy, Under-Secretary-General for Peacekeeping Operations.

There being no objection, it is so decided.

In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Ms. Navanethem Pillay, United Nations High Commissioner for Human Rights, and to Mr. Yves Daccord, Director General of the International Committee of the Red Cross.

There being no objection, it is so decided.

I should like to inform the Council that I have received a letter from His Excellency Mr. Pedro Serrano, in which he requests to be invited, in his capacity as Acting Head of the Delegation of the European Union to the United Nations, to participate in the consideration of the item on the Council's agenda. If I hear no objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to His Excellency Mr. Pedro Serrano.

There being no objection, it is so decided.

I invite Mr. Serrano to take the seat reserved for him at the side of the Council Chamber.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

I wish to draw the attention of Council members to document S/2010/579, which contains the report of the Secretary-General on the protection of civilians in armed conflict.

The Council has before it the text of a statement by the President on behalf of the Council on the subject of today's meeting. In accordance with the understanding reached among the members of the Council, I shall take it that the members of the Security Council agree to the statement, which will be issued as a document of the Security Council under the symbol *S/PRST/2010/25*.

It is so decided.

The President: At this meeting, the Security Council will hear briefings by Ms. Valerie Amos, Mr. Alain Le Roy, Ms. Navanethem Pillay and Mr. Yves Daccord.

I now give the floor to Ms. Valerie Amos, and I welcome her on her first appearance before the Security Council.

Ms. Amos: This briefing to the Security Council on the protection of civilians in armed conflict is an opportunity to measure the progress made by parties to conflict in meeting their obligations to protect civilians.

The Secretary-General's report (S/2010/579) paints a very bleak picture of the state of the protection of civilians. Any positive and encouraging developments are heavily outweighed by what is happening on the ground: the continuing and frequent failure of parties to conflict to observe their international legal obligations to protect civilians. Complementary to that is the failure of national authorities and the international community more broadly to ensure their accountability in any meaningful, comprehensive and systematic sense.

As the Secretary-General's report notes, the progress made in the last 18 months has been in the further strengthening of the Council's approach to protection. That has been embodied in the Council's thematic resolutions on the protection of civilians, on women and peace and security, and on children and armed conflict. Increasingly, that progress has been embodied in situation-specific resolutions, where the Council's informal Expert Group on the Protection of Civilians has played an important role; in the further development of international legal standards; in the efforts of United Nations actors — in particular humanitarian agencies and peacekeeping missions — and other international and non-governmental organizations to enhance protection on the ground; and above all, in the courage and ingenuity of the affected populations themselves.

Those are all important and welcome developments, but as the report of the Secretary-General makes clear, more needs to be done to tackle the five core challenges that inhibit more effective protection for civilians. Those challenges are: to enhance compliance by parties to conflict with international law, to enhance compliance by non-State armed groups, to enhance protection by United Nations peacekeeping and other relevant missions, to enhance humanitarian access, and to enhance accountability for violations.

Improving compliance by parties to conflict with international humanitarian law and human rights law remains particularly important, especially in the conduct of hostilities. In countries like Afghanistan, the Democratic Republic of the Congo, Somalia and the Sudan, civilians are frequently targeted or fall victim to indiscriminate or disproportionate attacks.

In the Democratic Republic of the Congo, the Lord's Resistance Army (LRA) has carried out over 200 attacks on villages in the North-East of the country since January. Between July and September, 75 attacks were reported in the Central African Republic, the Democratic Republic of the Congo and Southern Sudan. Ninety civilians were killed in these attacks, and over 100 abducted.

In Somalia, clashes in Mogadishu and the south-central part of the country continue to result in high numbers of civilian casualties, deaths and displacement. Between July and September, at least 300 people were killed and over 500 wounded by fighting between Government forces and their allies and insurgent groups. At least 8,000 Somalis flee the country every month.

I remain profoundly concerned at continuing reports of attacks, including aerial bombing, carried out by the Sudanese Armed Forces in populated areas of the Jebel Marra region of Darfur. These have resulted in civilian deaths and injuries, and some 100,000 people have been displaced. With limited humanitarian access, mostly due to Government restrictions, it has been difficult to gain a clear picture of the situation and of the numbers and locations of the displaced and other vulnerable groups.

Where we are unable to promote and encourage compliance with the law, the Council must do more to enforce. This includes following through on the willingness expressed in resolution 1894 (2009) to respond to situations of conflict where civilians are targeted or humanitarian assistance is deliberately obstructed.

I would like to draw particular attention to the concern raised in the report over the humanitarian impact of explosive weapons, particularly when used in densely populated areas. As the inhabitants of Baghdad, Gaza, Mogadishu, the Vanni region of Sri Lanka and elsewhere can attest, explosive weapons such as artillery shells, missile and rocket warheads and bombs can cause substantial and ongoing civilian suffering when used in populated areas. Civilians within the vicinity of an explosion are likely to be killed or injured by the blast and fragmentation from such weapons. They may be harmed by the collapse of buildings or suffer as a result of damage to essential infrastructure, such as hospitals and sanitation systems. And they live with the threat posed by unexploded ordnance.

I would join the Secretary-General in urging Member States, United Nations actors, and international and non-governmental organizations to consider the issue of explosive weapons closely, including by supporting more systematic data collection and analysis of the human costs of explosive weapons use. I would urge also increased cooperation by Member States in collecting and making available information to United Nations and other relevant actors on civilian harm resulting from the use of explosive weapons. Policy statements outlining the conditions under which explosive weapons might be used in populated areas would also be invaluable.

Improved compliance with international humanitarian law and human rights law will remain elusive in the absence of and full acceptance of the need for systematic and consistent engagement with non-State armed groups. Experience in Colombia, Liberia, Nepal, the Philippines, Sierra Leone, Sri Lanka, the Sudan and the former Yugoslavia shows that lives can be saved by engaging armed groups in order to seek compliance with international humanitarian law in their combat operations and general conduct, to gain safe access for humanitarian operations, or to dissuade them from using certain types of weapons.

An increasing number of Member States appreciate the importance of engagement for humanitarian purposes, but this must translate into greater consideration of the possible humanitarian consequences of national legal and policy initiatives that effectively inhibit humanitarian actors in engaging armed groups for humanitarian purposes. I am increasingly concerned by the growing body of national legislation and policies relating to humanitarian funding that limit humanitarian engagement with non-State armed groups that have been designated terrorist organizations. In the United States, for example, domestic legislation defines "material support" in such a way that it includes advocacy, technical expertise and advice, even when such activities are aimed at bringing the conduct of these non-State actors in line with international law.

Across donor States, the threshold of what constitutes direct or indirect, or intentional or non-intentional material support to designated terrorist organizations varies; so too does the manner in which these are formulated in humanitarian funding policies. The result is a complex web of bureaucratic restrictions demanding extensive vetting of partner organizations and, in some instances, explicit prohibitions on contact with designated terrorist organizations as a condition of funding.

Humanitarian actors face potential criminal liability and prosecution for engaging with designated terrorist organizations in the course of, for example, securing the release of child soldiers or for simply delivering aid to civilian populations in an area controlled by such an organization. Measures of this sort can take us further from, rather than nearer to our goal of protecting civilians.

From Chad to Côte d'Ivoire, the Democratic Republic of Congo to Liberia, to Sierra Leone and the Sudan, United Nations peacekeeping missions have had a significant impact on enhancing the protection of civilian populations. Important measures are being introduced to further improve the implementation of protection mandates by such missions, based on the recommendations of the November 2009 independent study jointly commissioned by the Office for the Coordination of Humanitarian Affairs and the Department of Peacekeeping Operations (DPKO). Mr. Le Roy will speak to these shortly.

I would like to touch on three issues in the Secretary-General's report.

The first is mission drawdown. In recent months, United Nations peacekeepers have begun to withdraw from the Democratic Republic of the Congo, while the United Nations Mission in the Central African Republic and Chad is expected to withdraw completely by the end of this year. The protection and humanitarian implications of drawdown are context-specific. It is therefore essential that drawdown be based on the achievement of clear, context-specific benchmarks, including on the protection of civilians. Anything less risks instability, violence and further protection problems.

In advance of mission drawdown, the Security Council should insist upon the articulation of benchmarks relating to the protection of civilians and on the establishment of a mechanism to measure and report progress against those benchmarks. Resolution 1923 (2010) on the situation in Chad provides useful examples in both these respects. Early consideration must also be given to the likely resource implications for the humanitarian and development actors that remain once a mission has withdrawn. These can be considerable. Member States must be fully aware of

the need for increased voluntary contributions to support crucial ongoing humanitarian and development activities, especially those related to the protection of civilians.

Secondly, the protection of civilians is a shared responsibility. Humanitarian workers and peacekeepers have distinct roles and responsibilities, but these need to be brought together in a coherent and strategic way. I look forward to the completion of the strategic framework that is being prepared by DPKO, in conjunction with other United Nations actors, to guide the development of comprehensive protection strategies by peacekeeping missions. This will, I hope, go a long way towards ensuring the necessary coordination and consultation between different actors and improve our collective efforts on the ground.

Thirdly, approaches to protection must involve the participation of affected communities and build on their capacities. This should be incorporated into mission protection strategies.

Access is a fundamental prerequisite to humanitarian action and yet, as the annex to the report demonstrates, it is frequently compromised. Bureaucratic constraints, active hostilities, deliberate attacks against humanitarian workers and the economically motivated theft of humanitarian supplies and equipment continue to undermine efforts to protect and assist those in need. In resolution 1894 (2009), the Council noted with grave concern the severity and prevalence of constraints on humanitarian access and the frequency and gravity of attacks against humanitarian personnel and their implications for humanitarian operations. It further stressed the importance of parties to conflict cooperating with humanitarian personnel in order to allow and facilitate access to conflict-affected populations. Importantly, the resolution reaffirmed the Council's role in promoting an environment that is conducive to facilitating humanitarian access.

The Council's continued attention to access constraints is welcome. However, greater precision is needed in specifying the nature of the constraints and the actions to be taken to counter them. The Council must ensure enhanced accountability for grave instances of deliberate delays or denials of access for humanitarian operations, as well as situations involving attacks against humanitarian workers. That can be achieved by encouraging domestic prosecutions or through referrals to the International Criminal Court. In line with resolution 1894 (2009), I stand ready to bring to the Council's attention situations where humanitarian operations are deliberately obstructed, and to suggest possible response actions for consideration by the Council.

As emphasized in resolution 1894 (2009), the primary responsibility for ensuring accountability for violations of humanitarian and human rights law rests first and foremost with States. In practical terms that means disseminating information about international humanitarian and human rights law. It means training combatants and ensuring that their orders and instructions comply with international law and are observed. When violations occur, it means investigating and prosecuting those responsible.

Regrettably, instances of disciplinary action and national prosecutions are in short supply, despite mounting allegations of serious humanitarian law and human rights violations in today's conflicts. In some cases, a lack of capacity is to blame. I would urge Member States to provide the necessary technical and financial support to national efforts, or for consideration to be given to the establishment of so-called mixed courts and tribunals, as we see in Cambodia and Sierra Leone, to support much-needed investigations and prosecutions at the national level.

In other cases, the fault lies in an absence of political will. However, unnecessarily slow or ineffective national efforts must not hinder the pursuit of accountability, including at the international level. The mandating of international commissions of inquiry sends an important signal that violations will be pursued and victims heard. Yet, while their utility is clear, their establishment is often politically fraught. We need to find ways of using such mechanisms on a more consistent and less politically influenced basis. As the Secretary-General notes, scrutiny must be the norm. I therefore welcome the Secretary-General's intention to request Secretariat departments directly involved in launching and supporting inquiries to undertake a review of the United Nations experience in these processes.

In addition to the various recommendations aimed at the Council and Member States, the Secretary-General's report identifies three actions that are implicit yet fundamental to enhancing our collective efforts to bring about more effective

protection for civilians. First, we must ensure a comprehensive approach to protection. Resolution 1894 (2009) expresses the Council's willingness to respond to situations of conflict where civilians are being targeted or humanitarian assistance is being deliberately obstructed, including through the consideration of appropriate measures at its disposal. I would urge the Council to extend that willingness to act to conflicts of which it is not already seized. These often raise many of the same, and sometimes more acute, protection concerns than we see in those situations already on the Council's agenda, and may equally warrant or demand Council attention.

Secondly, we must ensure a consistent approach. We need greater consistency in the manner and extent to which the Council addresses protection in those contexts of which it is seized. The systematic application of the aide-memoire — an updated version of which has been adopted today — is crucial in that regard. So too is the continued use of the informal Expert Group and the consideration of other ways in which it could further inform the Council's deliberations. Those would be important steps in this direction.

Finally, we must ensure an accountable approach. Systematic monitoring and reporting on the impact of our efforts to improve the protection of civilians is essential. We need to assess and report on the extent to which our actions are making civilians safer. That also applies to all relevant actors, not only peacekeeping missions, as well as all relevant situations, not only those in which peacekeepers are present. As requested by the Secretary-General, we plan to develop indicators for systematic monitoring and reporting on the protection of civilians in armed conflict.

The work of the Council on the protection of civilians in armed conflict is of prime importance. We face a sobering reality, and yet progress has been made. I hope that the Council will continue to be seized of this matter and keep the protection of civilians at the centre of its agenda.

The President: I thank Ms. Amos for her briefing.

I now give the floor to Mr. Alain Le Roy, Under-Secretary-General for Peacekeeping Operations.

Mr. Le Roy (*spoke in French*): I would like to thank you, Mr. President, for this opportunity, following the comprehensive briefing just made by Ms. Valerie Amos, whose recommendations I fully support, to inform the Security Council about the latest efforts by the Department of Peacekeeping Operations (DPKO) to better protect civilians in the eight missions we have been mandated to carry out, as well as, more generally, on the progress we have made in carrying out those crucial and difficult missions.

Recent tragic incidents, notably in the Democratic Republic of the Congo, in which the lives and safety of civilians have been so grossly disregarded by armed militias are a tragic reminder of both the importance of protecting civilians where we are mandated to do so and of the immense complexities that this entails. We must acknowledge and communicate that peacekeeping operations cannot protect all civilians at all times, especially when they are deployed over very vast areas and in the midst of ongoing conflict. Both the international community and those whom we endeavour to protect must understand that peacekeeping operations cannot be regarded as a substitute for State authority. The protection of civilians will ultimately depend upon stable and legitimate State institutions. Peacekeeping operations can augment their capacities and help to build them, but cannot, and should not, replace them.

That being said, over the course of 2010 the Department of Peacekeeping Operations and the Department of Field Support undertook a very detailed examination of how we can improve our performance in protecting civilians. With the operational concept developed earlier this year, we have focused on five principal tracks to improve our planning and implementation of our civilian protection mandates. Those include the development of a strategic framework to provide guidance for missions in elaborating comprehensive strategies for the protection of civilians; predeployment and in-mission training modules that include a range of scenario-based exercises for all mission components; an evaluation of the resource and capability requirements necessary for the implementation of protection mandates; a thorough examination of protection planning processes, both predeployment and within the mission; and, lastly, capability development efforts, including addressing capability standards for military units, to better articulate the performance requirements to meet this task as well as the other modern mandated peacekeeping tasks.

(*spoke in English*)

Our efforts in those areas have already had an impact on the ground. In addition to the three missions that previously developed protection of civilians strategies, four missions are in the process of doing so based on the draft general guidance that is being developed here at Headquarters. That guidance assists missions in undertaking a systematic analysis of the relevant threats facing civilians in their areas of operation, so as to better orient their efforts towards addressing them. That includes identifying the capacities that are required to ensure the effective implementation of protection of civilians mandates.

One of the most prominent examples of the implementation of such strategies is certainly the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), which has already developed and is continuing to implement a number of innovative and practical approaches. Recent efforts have focused on further enhancing the situational awareness of MONUSCO troops and, as the Council is aware, on improving communication between them and the population. Such measures must of course be accompanied by the ability to respond when and as necessary. It is in those situations that capacity shortages, especially in terms of aviation, are felt most acutely.

In the Sudan, in the crucial period leading up to the referendum, the United Nations Mission in the Sudan has finalized, in consultation with the country team, a strategy for the protection of civilians, which strengthens the coordination between the Mission's civilian and military components and envisages joint mapping processes of protection needs, actors and potential emergencies.

In Darfur and Côte d'Ivoire, missions are finalizing comprehensive strategies that include analyses of current and potential protection threats and vulnerabilities that civilians face, as well as risk mitigation measures.

For the United Nations Mission in Liberia (UNMIL), the primary threats to the protection of civilians are civil disorder and violent crime, including sexual violence. UNMIL and the Liberian National Police are working to develop clear and practical procedures to enable community members to alert the Mission or Liberian authorities in the event of an emergency or major incident.

As we look at the planning and implementation of the protection of civilians in greater detail, it remains clear that the efforts that we have undertaken thus far constitute only the beginning of what will necessarily be a continuous process. Peacekeepers in the military, police and civilian components continue to request more detailed operational guidance on the contributions they can make to the protection of civilians.

While we have made progress in bringing clarity to how peacekeeping operations implement protection of civilians mandates, we still require a more detailed articulation of how key functions within missions can more effectively protect civilians on a daily basis. This operational guidance will be a critical part of the protection toolkit that we are developing.

In conclusion, it must be reiterated that our efforts to improve the implementation of protection of civilians mandates within United Nations peacekeeping operations is not a job for DPKO or the Department of Field Support alone. It is critical that our key partners, in particular troop and police contributors that ultimately deploy personnel to protect civilians in the mission area, are fully engaged. Ensuring that they are aware of the expectations to protect civilians that have been placed upon them and that they are prepared to meet them is a shared task that will require a strong and focused partnership moving forward. Likewise, the support and engagement of the Council will be critical, in particular in ensuring that missions with protection of civilians mandates are fully resourced for the task, as we endeavour to bring greater operational clarity to some of the mandate language typically used in mandate missions to protect civilians and bring political leverage to bear on the parties to conflict.

The President: I thank Mr. Le Roy for his briefing.

I now give the floor to Ms. Navanethem Pillay, United Nations High Commissioner for Human Rights.

Ms. Pillay: First, let me welcome the contribution of my colleague Valerie Amos and congratulate her on her appointment. The work of our respective Offices is complementary at many levels, something I was reminded of listening to her speak today.

Let me also thank the members of the Security Council for giving me the opportunity to address the Council today on the subject of the protection of civilians in armed conflict. This is a subject that has rightly become a central focus of the Security Council. It is also an important priority for my Office as we seek to promote and protect human rights worldwide. Protecting civilians from the atrocities of war is an essential element of our human rights work. It is also an indispensable part of any strategy for managing threats to international peace and stability.

The concept of the protection of civilians, which is rooted in international humanitarian and human rights law, has been developed as a way to encourage a more comprehensive and coordinated approach by Member States, international organizations and agencies to our efforts to protect civilians from the imminent threat of violence during armed conflicts.

Over time, in responding to emerging threats to civilians, the Council has looked beyond situations of actual armed conflict to situations of civil strife preceding full-fledged conflict, as well as post-conflict and natural disaster situations. In situations such as the ones in Haiti, Côte d'Ivoire and Liberia, the Council has established broader protection mandates to ensure that the populations' human rights are protected.

Today, human rights are thoroughly integrated in United Nations peace missions. There are currently 17 human rights components of peace missions led by the Department of Peacekeeping Operations and the Department of Political Affairs, established at the behest of the Council and supported by my Office.

Of the five core challenges to the protection of civilians identified in the report of the Secretary-General before the Council (S/2010/579), my Office and human rights officers on the ground are directly engaged in four. We work to enhance compliance with international law, compliance by non-State armed groups, protection in the context of peacekeeping and accountability for violations.

Our approach to protection is first and foremost to prevent the commission of human rights violations. Where that fails, as regrettably it sometimes does, we also contribute to mitigating the effects of conflict on populations at risk and to ensuring proper accountability for violations once they have occurred. Establishing accountability, in turn, can help serve the longer-term goal of prevention by making a recurrence of violations less likely.

Effective prevention begins with the facts. Through human rights monitoring and reporting, we are able to build up a detailed picture of the situation on the ground, anticipate emerging threats and take appropriate preventive action in a timely manner. Time and again, human rights reports and their recommendations have provided the basis for decision-making by heads of missions, whether in relation to responses to immediate threats, longer term preventive measures or following up with relevant national authorities and international actors.

In the Democratic Republic of the Congo, for example, the preliminary report on the horrific mass rapes that took place in Walikale in August 2010, which was released on 24 September by the United Nations Joint Human Rights Office, was a key document in helping to establish the facts and identify protection gaps. In the week following the publication of the report, the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo set up two additional temporary operating bases in Binyampuri, deployed additional staff and equipment and stepped up day and night patrols in the area. These actions have reportedly provided much-needed reassurance to local populations.

Monitoring and reporting on human rights and the protection of civilians can also play a role in raising awareness of the impact of military operations on civilians and in encouraging the parties to a conflict to take steps to strengthen the protection of civilians.

Since 2007, the human rights contingent of the United Nations Assistance Mission in Afghanistan (UNAMA) has monitored and reported on civilian casualties in the conflict in Afghanistan, and engaged in advocacy to strengthen the protection of civilians. The Afghanistan mid-year report on the protection of civilians in armed conflict in Afghanistan, released on 10 August, found that in the first half of 2010 there was an overall decrease of 29 per cent in civilian deaths attributed to pro-Government forces, as compared to the same period in 2009, with a 64 per cent decrease in civilian deaths caused by aerial attacks. UNAMA concluded that the implementation of tactical directives governing air strikes, night searches and the escalation of force contributed to this significant reduction in civilian casualties.

Effective monitoring and reporting of human rights violations and encouraging greater compliance with international human rights law require opportunities to engage directly with both State and non-State actors, as well as access by human rights officers to populations at risk. In that context, it remains of grave concern that human rights officers still cannot access large parts of Darfur for security reasons.

Further, in Somalia, intense fighting in Mogadishu and other parts of the country severely limits the access of human rights officers. Human rights officers of the United Nations Political Office for Somalia have been working with internally displaced persons in Somaliland and Puntland and interviewing on a regular basis individuals who had fled southern and central Somalia. Their testimonies indicate a pattern of risk and violations occurring throughout the country. Human rights officers also work with national monitoring networks in order to gather relevant information from within Somalia.

Apart from these constraints, it is essential that the Council give missions the requisite mandate and resources, including the prioritization of logistical support and access of human rights monitoring and investigation. Unfortunately, in the Democratic Republic of the Congo, insufficient access to vulnerable populations by human rights officers, due in part to limited air assets or military escorts, has impeded our ability to adequately identify threats, plan accordingly and ultimately protect civilians from violations.

While our primary concern is to prevent the commission of violations, where prevention fails we collectively bear the responsibility to ensure accountability. The Secretary-General's report rightly identifies accountability as one of the core elements of the protection of civilians. Not only is accountability required to fulfil international legal obligations; it is also our best tool for preventing the recurrence of violations.

My Office's efforts to enhance accountability are multifaceted. As Council members will be aware, my Office has recently concluded a mapping report of the most serious violations of human rights committed in the Democratic Republic of the Congo between 1993 and 2003. Through its assessment of existing accountability mechanisms and the challenges faced in addressing the violations documented, the report provides a road map for engaging the Government of the Democratic Republic of the Congo, the Congolese population and the international community in a constructive dialogue on how to ensure accountability and offer remedy to victims within the overall goals of reconciliation and peace. I hope that we will be able to make a further contribution on the question of what measures or mechanisms can provide a sense of redress for victims when we receive the report of a high-level panel of experts, led by my Deputy, who went to the Democratic Republic of the Congo in October and held hearings around the country with survivors of sexual violence.

Human rights officers work closely with national authorities and civil society to support national judicial institutions and other accountability mechanisms. Again taking an example from our work in the Democratic Republic of the Congo, the Joint Human Rights Office, through its joint investigation teams, provides direct support to military prosecutors to investigate cases of violations, including by helping them access populations to carry out their investigations and by ensuring judicial follow-up. This support has allowed prosecutors to bring many cases to court that might not otherwise have been pursued, including cases of sexual violence. A recent example of facilitating national efforts for accountability is the arrest of General Jérôme Kakwavu, who was accused of rape and whose file is being transmitted to the high military court of Kinshasa.

In some cases, the longer-term challenge is to build up the capacity of non-United Nations security forces, including national forces and institutions, to take on the task of effective protection of civilians once the international presence has been withdrawn. In this context, my Office has been playing an essential role, including by participating in the training and technical advice being provided to police and military officers and contributing to necessary legislative and policy reforms. There is an important discussion to be had in this context — specifically, on how to ensure that United Nations support to non-United Nations security forces is based on respect for human rights and international humanitarian law. My Office is currently contributing to the review of United Nations experience in this respect.

Our expertise has also increasingly been called upon to conduct commissions of inquiry in the context

of political crises where there is no peace mission but where the lack of protection of civilians and of accountability for violations of their rights represents a threat to peace. An example is our involvement in the Secretary-General's international commission of inquiry to investigate the violence that occurred in Conakry, Republic of Guinea, on 28 September 2009. In Guinea, as in many other cases, establishing the facts is a first step on the road to remedy and eventual reconciliation. I am pleased to confirm that, in line with the Secretary-General's recommendation, my Office will work actively with co-lead departments directly involved in inquiries of this kind with a view to reviewing past experiences and making proposals as appropriate.

In conclusion, my Office stands ready to assist the Council as it seeks to strengthen the protection of civilians threatened or affected by the effects of armed conflict. Every day around the world, human rights officers mandated by this Council make a vital contribution to protecting civilians, often working in very challenging conditions and with limited resources.

I encourage the Council to ensure that the mandates that it establishes provide the necessary elements for this work to continue as effectively as possible: robust and well resourced mandates that ensure that human rights officers are present throughout areas affected or threatened by conflict, including remote areas; that allow such violations as do occur to be properly documented and reported; and that provide for support to national authorities to restore and strengthen the rule of law.

Finally, I would welcome the opportunity to share information relating to this topic with the Council in future, including reports and recommendations arising from our human rights monitoring work on the ground, and to keep it apprised of evolving situations where civilians are at risk. In addition to formal meetings such as today's, my Office stands ready to contribute to Arria Formula meetings and expert-level meetings of a less formal character, as the Secretary-General recommends in his report.

I thank members of the Council for their attention and for this opportunity to speak here today. I look forward to our continued dialogue.

The President: I thank Ms. Pillay her briefing.

I now give the floor to Mr. Daccord.

Mr. Daccord: I thank you, Sir, for this opportunity to brief the Security Council today.

The protection of civilians in armed conflict has been high on the international agenda for the past decade. On one level, progress has been impressive. Never before have there been so many policy statements and resolutions, so much global information and advocacy, and such a proliferation of actors professing to carry out protection work. Sadly, these fine words and good intentions are rarely matched by the reality on the ground. While there may still be diverging views on what protection actually is, there can be little doubt about what happens when there is no protection.

This is the reality facing the International Committee of the Red Cross (ICRC) in our daily work in far too many armed conflicts and other situations of violence around the world. The reality is that, in some places, men, women and children are being killed or raped, forced out of their homes, losing all their possessions and living in a state of fear. Hospitals are being bombed and health workers attacked.

Beyond the deliberate targeting of civilians, the reality is also the countless numbers of other, often forgotten victims who are equally in need of protection. The reality is that in war people go missing. People have the right to know what happened to their missing relatives. Governments, military authorities and armed groups have an obligation to provide information and assist efforts to put families back together. In addition, the hundreds of thousands of people in prisons or detained in armed conflict must not be forgotten.

So why is the reality on the ground so often dismal compared to the progress in policy and doctrine? The fundamental reason is as obvious as it is challenging. It is the lack of respect for international humanitarian law by State and non-State actors. That, coupled with the prevailing culture of impunity, is the main cause of the human suffering we are witnessing.

Various factors compound that challenge. The increase in non-State armed groups in some contexts is one. When armed actors are motivated by crime or banditry, it is harder to talk to them about their obligation to protect civilians. The constant evolution in the means and methods of warfare is another factor. Waging battle in densely populated urban areas, sometimes with highly explosive weapons, is just one example.

Yet despite, or rather because of, the flagrant violations committed by parties to conflict around the world, the ICRC firmly believes that the relevance and importance of international humanitarian law is reaffirmed, not weakened. That is echoed in the five core challenges in the Secretary-General's reports in 2009 (S/2009/277) and 2010 (S/2010/579) on the protection of civilians.

Working to ensure respect for international humanitarian law in situations of armed conflict remains at the heart of our mandate and our missions. For the ICRC, protection and assistance go hand in hand. Our presence on the ground ensures our proximity to the victims. We engage in confidential dialogue with State and non-State actors to uphold the rights of people affected, aiming as much as possible to prevent violations. We remind parties of their obligation to protect civilians, and we promote compliance with international humanitarian law. That includes supporting authorities' efforts to incorporate international humanitarian law into national legislation and into army training. It also includes working to clarify or develop international humanitarian law through extensive consultations with States and other stakeholders.

At the same time, the ICRC works to address victims' needs — food, water, shelter, other essential items or medical care — tracing missing family members and re-establishing links between them, and ensuring that people in detention are treated well. Protection can facilitate assistance, and vice-versa.

The ICRC approach is only one of many among an increasing number of civilian and military actors, with different mandates, objectives and ways of working.

The United Nations has gone a long way in including protection activities in the mandates of its peacekeeping missions and in improving protection for specific groups such as women and children, refugees and internally displaced persons. The ICRC will continue to work for the protection of civilians within the limits of our mandate and expertise, based explicitly on a neutral and independent approach.

True consensus on the meaning of protection may be hard to achieve. It is essential to have clarity and transparency on the objectives of different actors, be they civilian or military, and to clearly distinguish between them. To avoid unrealistic expectations, it is important to distinguish between physical protection — which humanitarian actors cannot provide — and protection by promoting compliance with the law.

In any event, women, men and children in need of protection must truly be at the centre of any action that is undertaken. The challenge of turning words and intentions into concrete, meaningful action is one we all face. That challenge ultimately rests with States and non-State actors, both bound by international humanitarian law. I end by making a sincere plea to them and to the Council to show the necessary political will and good faith to turn legal provisions into reality — to take seriously the obligation to protect civilians. That would be the most meaningful progress of all.

The President: I thank Mr. Daccord for his briefing.

In accordance with the understanding reached among Council members, I wish to remind all speakers to limit their statements to no more than four minutes, in order to enable the Council to carry its work expeditiously. Delegations with lengthy statements are kindly requested to circulate the text in writing and to deliver a condensed version when speaking in the Chamber.

I shall now give the floor to members of the Council.

Mr. Mayr-Harting (Austria): Let me thank you, Mr. President, for organizing this debate and for the strong interest and support your country has traditionally given to today's topic. I would like to also thank you for bringing about a very substantive presidential statement, which has our full support.

We would like to welcome Under-Secretaries-General Amos and Le Roy and thank them for their briefings. We are also pleased that High Commissioner Pillay is here with us again today. This is the third time running that she is participating in a debate on the protection of civilians, and we very much hope that this tradition will be continued. Finally, let me also thank Mr. Daccord for his intervention.

Today's debate is an important opportunity for my delegation to take stock of our common efforts in an area that has been at the core of my country's own engagement in the Council. The latest report by the Secretary-General (S/2010/579) provides us with an excellent basis for our discussion.

While we share the Secretary-General's assessment that more needs to be done to meet the five core challenges, we are also encouraged by the progress made over the past year in implementing resolution 1894 (2009). I would like to thank the Office for the Coordination of Humanitarian Affairs (OCHA) and the Department of Peacekeeping Operations for their consistent work and support. We particularly welcome the draft operational concept on the protection of civilians, as well as the envisaged strategic framework. We also strongly support the Secretariat in its endeavour to further improve predeployment and in-mission training on the protection of civilians. That initiative needs to be accompanied by national and international efforts.

Host countries and the Council should come to a common understanding that our decisions to draw down missions or adapt mandates are conditioned on the achievement of clear benchmarks, including in relation to the protection of civilians. The establishment of a mechanism to measure and report on progress against such benchmarks would be very important, and we think that the experience gained in that context in the United Nations Mission in the Central African Republic and Chad is useful and should be followed up.

Given the gravity and number of existing allegations, the recent arrests of commanders allegedly responsible for committing war crimes and crimes against humanity in the Democratic Republic of the Congo are but a welcome start. The Council must ensure respect for its resolutions and take vigorous measures against perpetrators, including through the establishment of commissions of inquiry, referrals to the International Criminal Court and the imposition of targeted measures.

Mass rapes in Kibua in Eastern Congo in July and August this year have demonstrated the massive challenges we still face in preventing and responding to such atrocious crimes. As the presidential statement rightly underlines, peacekeeping missions must communicate with the local communities and must be equipped with the necessary capacities to do so. We expect the upcoming report of the Secretary-General on sexual violence to contain bold recommendations for improving our response, and we hope that the Security Council will be able to adopt a substantive outcome next month.

We share the concern of the Secretary-General over the threat posed to civilians by explosive weapons, particularly when used in densely populated areas, and I am grateful for the very clear words of Under-Secretary-General Amos on this subject. On 16 September, Austria, together with OCHA, hosted a panel discussion on that subject that clearly demonstrated the need for more systematic data and analysis. We hope the Council will become actively engaged on that important emerging subject.

We welcome the reference contained in the presidential statement on the need to find durable solutions to issues concerning internally displaced persons and refugees, and we hope for a more systematic consideration of that issue in relevant Council debates and resolutions. More systematic and comprehensive reporting on protection issues in the Secretary-General's country-specific reports will enhance the consistency of the Council's actions regarding the protection of civilians. Following the example of resolution 1325 (2000), this is another area where we believe that indicators would be useful and that they should be developed by the Secretariat. That will allow the Council to assess the effectiveness of its own policies and measures. We are further looking forward to receiving the guidance for peacekeeping and other relevant missions on the reporting of protection of civilians that was requested in resolution 1894 (2009).

We are encouraged by the fact that the Secretary-General's report has noted a change in the way and extent to which protection is addressed in Council resolutions, including in the mandates of peacekeeping operations. We are convinced that the briefings received and our discussions in the Expert Group, as well as the use of the aide-memoire (see S/PRST/2009/1), have significantly contributed to this more consistent approach on the part of the Security Council. Let me express my gratitude to OCHA for undertaking the work to update the aide-memoire, which has been adopted in conjunction with the presidential statement today.

While our membership of the Security Council comes to an end next month, let me assure you, Mr. President, that my country will remain strongly committed to the subject of today's debate. In this context we are very much encouraged by the continuing strong interest of the membership of the United Nations in issues regarding protection of

civilians, as is demonstrated by the broad attendance at today's debate. We look forward to continuing our cooperation with interested Member States and the Secretariat to further strengthen the protection of civilians in conflicts around the globe.

Mr. Karev (Russian Federation) (*spoke in Russian*): We are grateful to Under-Secretaries-General Amos and Le Roy, to the United Nations High Commissioner for Human Rights, Ms. Pillay, and to Mr. Daccord, Director General of the International Committee of the Red Cross, for their briefings.

The Russian Federation favours the peaceful resolution of disputes. However, despite all the international community's efforts, armed conflicts happen and claim the lives of many people, the majority of whom are civilians. They especially need our protection. We are speaking, first and foremost, of children, women and the elderly, and the humanitarian personnel who help them. We are convinced that correcting this situation demands strict compliance with the norms of international humanitarian law and human rights standards and implementation of relevant Security Council decisions.

We firmly condemn both premeditated attacks on civilians and their death as the result of the indiscriminate or disproportionate use of force, which is a flagrant violation of international human law. There is no justification for armed groups who attack peaceful populations, commit terrorist acts and take hostages. We emphasize the responsibility of all parties to a conflict to ensure the security of civilians and to comply strictly with the norms of international humanitarian law. We advocate the thorough investigation of such incidents and punishment of the perpetrators.

That also applies to the activities of private military and security companies, the victims of whose actions are often entirely innocent people. In the context of formulating clear international standards, we welcome the recent decision to establish, within the framework of the Human Rights Council, an open-ended working group to prepare a draft of a legally binding document on the activities of such companies. We are pleased that those topics are reflected in the text of today's presidential statement (S/PRST/2010/25).

The protection of peaceful populations is a high-priority task for the Governments of States involved in conflict. All parties to armed conflicts bear the responsibility for ensuring the security of civilians. The actions of the international community should be aimed at assisting national efforts in that area. Taking appropriate measures, particularly those involving the use of force, is possible only with the approval of the Security Council and in accordance with the Charter of the United Nations. Moreover, it is important to take into account the economic, social, historical, religious, cultural and other specifics of countries and regions, as well as the nature of each conflict, its underlying causes and the possibilities for settlement.

There is no doubt of the need for the Security Council to draw up clear and realistic mandates for the protection of civilians, taking into account the financial and logistical resources at the disposal of United Nations peacekeeping operations, as well as the leadership in this area, on the basis of consultations with Member States.

We should not forget, however, that the protection of civilians is only one element in the mandates of peacekeeping operations. The main task of United Nations peacekeeping is to facilitate the peace process. One very important aspect of the protection of civilians is the disarmament, demobilization and reintegration of former combatants. Those programmes require adequate support from United Nations peacekeeping missions.

The work of humanitarian agencies is an important factor. It should be based on the norms of the United Nations Charter and basic humanitarian principles, while their effectiveness depends largely on how they fit into the international community's efforts for political settlements. In that context, respect for State sovereignty is a fundamental principle.

Mrs. DiCarlo (United States of America): Let me thank you, Mr. President, for organizing this important debate and for your leadership on the presidential statement that we adopted today (S/PRST/2010/25). Let me also thank Under-Secretaries-General Amos and Le Roy, High Commissioner Pillay and the Director General of the International Committee of the Red Cross, Mr. Daccord, for their valuable briefings and their dedication to protecting civilians.

Today we commend the work of the United Nations and the hundreds of thousands of brave peacekeepers and humanitarian workers who put their lives at risk to protect civilians living in harm's way.

We recognize the importance of the collective efforts by the political, peacekeeping, human rights, humanitarian and development components of the United Nations to ensure proper protection from the horrors of war. We have seen the impact the United Nations and its partners have made in such places as Burundi, Côte d'Ivoire, Haiti, Liberia, Sierra Leone, the Sudan, Timor-Leste and other countries shaken by armed conflict. The United Nations and regional organization partners have also played an important preventive and mediation role in countries such as Guinea and Kenya.

The progress of the United Nations is the result of years of hard work at Headquarters and in the field. Resolution 1894 (2009) was a landmark in the global effort to better protect civilians in conflict zones. So, too, is this year's report from the General Assembly's Special Committee on Peacekeeping Operations (A/64/19). Both documents called for mission-wide planning, better predeployment training and stronger protection strategies. We applaud the Organization's recent development of mission-wide protection strategies in Côte d'Ivoire, the Democratic Republic of the Congo and the Sudan. We urge that those strategies be implemented, and we look forward to the expansion of similar approaches to other United Nations missions.

Despite those notable achievements, we are still reminded every day of how far we have to go. We are deeply concerned by the trends outlined in the Secretary-General's report (S/2010/579), especially the seemingly ceaseless unlawful targeting of civilians, including women, children, humanitarian workers and journalists. Children are still being forcibly recruited to become soldiers. Women and girls in particular face constant threats of rape and sexual abuse, and the number of refugees and internally displaced persons has only grown larger since last year.

All too often humanitarian workers themselves are the targets of attack by warring parties and terrorists. Such intimidation and violence is appalling and unacceptable. While eight United Nations peacekeeping missions are now mandated to protect civilians from physical violence, many civilians suffer not only from indiscriminate attacks but from attacks directed at them deliberately. The United States calls for more concrete actions to hold accountable those who attack humanitarian and peacekeeping personnel.

We must also pursue accountability in places where insurgents and terrorists hide among civilian populations and turn communities into battlefields. Those groups continue to inflict unspeakable crimes on innocents. In some cases, they actively use religious establishments, hospitals and neighbourhoods to launch rocket and mortar attacks and compromise the protection of civilians in such areas.

The United States hopes that we can work together towards improvements in four key areas.

First, we must continue our efforts to better tailor peacekeeping mandates to adequately address situation-specific challenges on the ground. That includes laying out a clear hierarchy of tasks so that peacekeepers can understand the priorities. The Secretary-General's report notes the progress that the Council has made in mandating civilian protection in peacekeeping missions. Nevertheless, better planning, preparedness and policies are needed to support the missions' efforts to reduce the vulnerabilities of innocents in conflict zones.

Secondly, we should increase our ability to provide peacekeepers and humanitarian organizations with the knowledge, training and resources needed to fulfil their protection mandates, including protection against sexual and gender-based violence. Many peacekeeping missions and humanitarian organizations struggle due to inadequate resources and insufficient communication with local communities. The United States is proud to play a leading role in developing peacekeeping capacity, particularly with regard to military and police programmes.

Thirdly, we must ensure that the Council is not being selective in its application of protection principles. We are encouraged by the work of the informal Expert Group on the Protection of Civilians. We call for its focus to expand to consider cross-cutting protection concerns and to monitor progress on the benchmarks and indicators being developed by the Secretary-General. We also welcome the updated aide-mémoire of the Office for the Coordination of Humanitarian Affairs, which will be useful in Council discussions.

Fourthly, we must hold accountable groups and individuals that flagrantly violate the laws of war, including those who use rape and sexual violence as a weapon of war. The primary responsibility for ensuring accountability lies with States, but the international

community must be prepared to take action against those who violate international humanitarian law, including through the imposition of sanctions, such as the freezing of assets, the banning of international travel or restricting the flow of goods and arms. We must help Governments create, maintain and operate credible national courts, where possible, and support international and hybrid tribunals, when necessary, to end impunity. The International Criminal Court plays a key role in bringing perpetrators of the worst atrocities to justice.

We understand far better than we did a decade ago what protecting civilians in armed conflict truly entails. We are developing more tools and mechanisms to implement lessons that have been painfully learned. We must remain vigilant and address future challenges together more consistently. We still have far more to do to save the lives of civilians in conflict zones. The situations differ from conflict to conflict, but all civilian victims are innocent and they should all be sheltered by the rule of law and the rules of war.

Mr. Onemola (Nigeria): Let me begin by commending your initiative, Mr. President, in convening this important and timely debate on the protection of civilians in armed conflict. Allow me to express my gratitude to Ms. Valerie Amos, Under-Secretary-General for Humanitarian Affairs; Mr. Alain Le Roy, Under-Secretary-General for Peacekeeping Operations, Ms. Navanethem Pillay, United Nations High Commissioner for Human Rights, and Mr. Daccord, Director General of the International Committee of the Red Cross, for their informative briefings.

We welcome the Secretary-General's progress report (S/2010/579) and commend its analytical depth and consultative observations. Judging from the wide-ranging perspectives shared with us today, the protection of civilians in armed conflict is an important yet daunting global challenge. Therefore, the efforts to build consensus on the subject and the progressive development of normative frameworks to address civilian protection challenges, including resolutions 1894 (2009), 1882 (2009) and 1888 (2009), are encouraging developments.

We also recognize the contribution of some individual Member States and regional organizations to these developments. At the regional level, Nigeria is a signatory to the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa — the Kampala Convention. Once the Convention enters into force, it will be the first legally binding regional instrument to impose an obligation on State parties to protect and assist internally displaced persons (IDPs).

At the international level, we commend the Office for the Coordination of Humanitarian Affairs, the Department of Field Support and the Department of Peacekeeping Operations for keeping the Security Council sharply focused on this issue. The 2009 joint study, the operational concept on the protection of civilians, and the newly updated aide-mémoire are important tools that the Council should continue to use to systematize our approach to protecting the rights and persons of civilians in armed conflict.

Despite those notable developments, the grim reality of today is that civilians are still casualties of conflicts and the direct targets of abduction, sexual violence and the denial of humanitarian access. Recent developments underscore the increasing difficulty that we face in addressing the five core challenges articulated in the Secretary-General's report, contained in document S/2009/277.

The acts of rape perpetrated by rebels in the eastern Democratic Republic of the Congo in August and the recent assault on civilians in Western Sahara illustrate the magnitude of the task of civilian protection. Difficult protection challenges remain in Afghanistan and Somalia. Indeed, the impending referendums in the Sudan may present serious protection challenges for which the United Nations Mission in the Sudan, the African Union-United Nations Hybrid Operation in Darfur and all United Nations actors on the ground must be prepared.

Protection requires early intervention and the swift deployment of humanitarian assistance by the international community. It also requires coordination and the pulling together of the capacities of the various multilateral agencies involved in efforts to bring relief to IDPs and refugees. I must stress that our growing understanding of the needs and vulnerabilities of civilians in armed conflict must be marked by the ability and capacity to protect. In the same vein, while the trend towards mandating peacekeeping missions to protect civilians is a positive step, it is essential to support such aspirations with adequate resources.

As a major troop-contributing country, Nigeria is aware of the acute resource constraints that United Nations peacekeepers face in the field daily. Such constraints limit their ability to effectively protect civilians, guarantee safe passage for IDPs, facilitate the movement of humanitarian actors and, crucially, establish assessment and early-warning mechanisms to prevent a crisis. Indeed, better resourcing would make the exercise of benchmarking the outcomes of peacekeeping missions more accurate and effective.

As caretakers of international peace and security, our efforts should be directed at addressing those and other constraints that militate against the effective protection of civilians. We therefore echo the Secretary-General's call for a comprehensive, consistent and accountable approach to protecting civilians in hostilities. In our view, the three additional actions suggested by the Secretary-General in his report will fundamentally enhance the protection of civilians.

In that respect, we firmly support the recommendation that the Council should avoid a selective approach to the protection of civilians in armed conflict. All cases requiring protection should be given equal emphasis, whether in Southern Sudan, Darfur, Somalia, Afghanistan or Western Sahara. When an issue requiring civilian protection is not on the Council's agenda, the United Nations should give its full support to the regional or subregional organization already addressing such issues.

It is evident that composite measures are required to protect civilians, prevent conflicts and deal with their consequences. There is the need for States to ratify and implement existing conventions and protocols on armed conflict. Efforts should be intensified to strengthen legal frameworks and mechanisms for monitoring and reporting attacks against civilians by State and non-State actors alike. In West Africa, the illicit trade in small arms and light weapons is a threat to the protection of civilians. We would therefore like to reiterate our call for the elaboration of an arms trade treaty.

Conflict prevention is fundamental to the protection of civilians. Practice has shown that it costs less to prevent than to control conflicts. That is why Nigeria fully supports region and subregional conflict prevention initiatives, and we encourage the Council to do the same.

Post-conflict peacebuilding efforts through the Peacebuilding Commission should also be intensified. Such peacebuilding strategies should not only address immediate challenges, but also lay the foundation for long-term development. We agree with the Secretary-General's recommendation concerning the need to develop a set of indicators for the systematic monitoring of and reporting on protection of civilians in armed conflicts.

Nigeria believes that the responsibility to protect civilians in armed conflict situations is a shared one, although the primary burden rests with national Governments. The cooperative engagement of all actors on the ground and of policymakers is necessary to support national Governments in securing and protecting their civilian populations.

The international community should remain vigilant and bear its fair share of our collective responsibility to protect civilians. If we act purposefully and in concert, we can better shield civilians from the ravages of armed conflict.

Mr. President, we support the presidential statement adopted earlier that was prepared under your guidance (S/PRST/2010/25).

Mr. Briens (France) (*spoke in French*): First of all, I would like to thank the Under-Secretary-General for Humanitarian Affairs for presenting the report of the Secretary-General (S/2010/579), as well as the High Commissioner for Human Rights, the Under-Secretary-General for Peacekeeping Operations and the Director General of the International Committee of the Red Cross for their briefings. We welcome their ongoing commitment to protecting civilians and the tireless efforts of their teams alongside the victims of armed conflict on the ground. France supports the statement to be made by the observer of the European Union.

Recent months have brought important developments on two points: peacekeeping operations and the fight against impunity. First, with regard to peacekeeping operations, since the adoption of resolution 1894 (2009) a year ago, the Security Council, the Secretariat and all actors concerned have mobilized to improve the process of defining, following up and monitoring the implementation of mandates involving the protection of civilians in peacekeeping operations. All the recent mandates of the Security Council contain a protection of civilians segment, which is a priority in

all cases. The protection of civilians justifies measures that are adapted to the situation on the ground when necessary. We continue to develop this approach. The updated aide-memoire we adopted this morning (see S/PRST/2010/25) is a valuable instrument in that regard, and we thank the Office for the Coordination of Humanitarian Affairs for its update.

The challenges we face remain numerous. There have been serious breaches, notably in the Democratic Republic of the Congo this summer, when massive sexual violence was perpetrated while our forces were present in the zone. But the Council and the Organization assumed responsibility for the failure and immediately took measures to strengthen its early warning and prevention capacities. One of the main perpetrators was arrested by the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo with the help of the Forces armées de la République démocratique du Congo.

Situations also persist where the forces mandated by the Council do not have the cooperation they need from local authorities, which undermines their action. The African Union-United Nations Hybrid Operation in Darfur (UNAMID), whose freedom of movement is too often hindered in Darfur, still does not have sufficient access to the population. It often arrives too late, when it does arrive, at the scenes of the crime, such as Jebel Marra.

I draw three lessons from these difficulties. First, the Secretariat must develop a strategic framework for every peacekeeping operation on the protection of civilians, as well as specific training modules, and identify the resources and capacities necessary to each.

Secondly, peacekeeping operations must develop closer communication with the local population in order to strengthen their ability to prevent and respond to threats posed by armed groups, which involves a linguistic component, as well as adequate logistics and communications.

Thirdly, the Council must receive regular reports on the protection of civilians and be informed as soon as possible of situations where there are human rights violations against civilians. Such reports will require the establishment of a systematic monitoring mechanism to follow progress or gaps in the protection of civilians on the ground, provide detailed information on incidents and make it possible to identify those who violate international humanitarian law and human rights, assess the effectiveness of measures taken to protect civilians, and evaluate threats. In that regard, UNAMID has set up a data collection system on sexual violence, and the United Nations Assistance Mission in Afghanistan produces thorough reports on these matters.

We must have access to such information in all of our areas of action. We welcome the intention of the Secretary-General to set up monitoring indicators to follow up the protection of civilians in countries at risk.

We have to continue developing synergies between peacekeeping operations, the teams of the High Commissioner for Human Rights and the humanitarian community. Parties to conflict must guarantee access and full, unhindered security for the humanitarian personnel of international organizations and non-governmental organizations and for their provisions and equipment. Obstacles to the delivery of humanitarian assistance are serious violations. Groups of experts on the protection of civilians must be regularly updated in that regard.

As for the fight against impunity, France welcomes the publication of the mapping report of the Secretary-General on crimes committed in the Democratic Republic of the Congo from 1993 to 2003. We commend the resolve of the authorities of the Democratic Republic of the Congo to prosecute the perpetrators of the abuses committed at that time and of those committed today.

France welcomes the content of our presidential statement, which indicates the progress made by international justice and application of the Rome Statute, as confirmed at the Kampala Conference.

We welcome the intervention of the International Criminal Court (ICC) in Guinea, where it is contributing to efforts to prevent crime at this historic time for Guineans. The judicial activity of the Court against those who recruit child soldiers, those responsible for sexual violence and genocide campaigns could contribute decisively to protecting civilians if we are all committed to respecting the decisions of the judges in all circumstances. No one has any interest in encouraging impunity.

The Court also has a role to play in preventing attacks against peacekeeping personnel. I note in that respect the upcoming opening in The Hague of a procedure against those responsible for the deadly

attack against African Union soldiers in Haskanita in 2007 as they were assuming their mandate to protect the population.

In supporting the Rome Statute of the ICC, in cooperating with Court, in carrying out its arrest warrants and in respecting its independence, we are protecting civilians today and tomorrow.

Mrs. Viotti (Brazil): I would like to thank Under-Secretary-Generals Valerie Amos and Alain Le Roy, High Commissioner Navi Pillay and the Director-General of the International Committee of the Red Cross, Yves Daccord, for their briefings. I also express my appreciation to the Secretary-General for his in-depth report (S/2010/579), which provides a useful overview of the progress made and challenges found in protecting civilians over the past 18 months and contains many important recommendations. We are pleased that the Council has taken up a number of them in the presidential statement adopted this morning (S/PRST/2010/25).

Among the several aspects of such a wide-ranging issue as the protection of civilians, I would like to focus my comments today on three points: reporting, peacekeeping and the root causes of conflict.

Comprehensive though they may be, periodic reports of the Secretary-General on the protection of civilians have not provide detailed enough information on the protection aspects of all agenda items where such aspects are of concern. Brazil would therefore welcome more information on protection issues in the Secretary-General's country-specific reports to the Council, as also mentioned by the Permanent Representative of Austria. Such enhanced reporting could also use information that is already available to the United Nations and currently shared in a more limited and informal fashion, for instance with the Security Council informal Expert Group. Broadening and deepening the treatment of protection issues in country-specific reports by the Secretary-General would also allow protection information to be disseminated to the wider membership.

I reiterate the great importance that Brazil attaches to the protection of civilians by peacekeepers. I also reaffirm our firm belief that the protection of civilians is a multidimensional task that must be pursued by all mission components in the field and by both the Department of Peacekeeping Operations and the Department of Field Support at Headquarters. The breadth of protection of civilian mandates is such that fulfilling them as completely or as perfectly as one would like will always be challenging. Yet every effort must continue to be made to ensure that peacekeeping missions have the capabilities and resources they need to discharge their protection responsibilities as effectively as possible.

My delegation very much appreciates the emphasis in the presidential statement (S/PRST/2010/25) adopted today on the critical issue of communication between peacekeepers and local populations. A positive two-way dialogue is an indispensable element of a comprehensive and effective protection strategy. Valuable resources, such as United Nations radio stations and town hall meetings, must be used more consistently and in an integrated and mutually reinforcing manner. Moreover, for protection strategies to work, the information gathered from dialogue with local populations must feed into effective information-management and crisis-response mechanisms. The situation in the Democratic Republic of the Congo is a case that quickly comes to mind in that regard. The production of intelligence to inform protection strategies is vital. Without intelligence, operations will be limited to reacting and responding to events.

One of the main challenges in effectively protecting civilians is balancing the imperatives of immediate protection, such as defending civilians from physical violence and ensuring humanitarian access, with attention to long-term protection. In many cases, this means combining traditional peacekeeping components with political and economic tools to address the root causes of conflict. In that context, my delegation welcomes and agrees with the Secretary-General's emphasis on the role of housing, land, natural resources and property issues in conflicts. Addressing such critical issues is key to achieving sustainable peace and development, which is, in the long term, the best way to ensure the protection of civilians. While those are fundamentally internal issues and the legal basis for the Council to address them is narrow, as they are not explicitly security issues, the international community must be prepared to give political, material and technical support to their resolution in conflict and post-conflict situations in order to enhance the prospects for sustainable peace.

After a decade of experience, we are still struggling to effectively protect civilians in armed

conflicts. While recognizing the progress made in defining policy and building a framework for the protection of civilians, my delegation concurs with the Secretary-General and with Mr. Yves Daccord that we must now redouble efforts to enhance protection on the ground.

Mr. Issoze-Ngondet (Gabon) (*spoke in French*): The protection of civilians in armed conflict is a subject of great concern. I take the opportunity of this debate to reaffirm Gabon's commitment to work in this area. The report of the Secretary-General (S/2010/579) and the briefings by Ms. Valerie Amos, Ms. Navanethem Pillay, Mr. Alain Le Roy and Mr. Yves Daccord — and I welcome their clarity — show unambiguously that the situation remains alarming. Of course, I share their views.

In spite of the Geneva Convention relative to the Protection of Civilian Persons in Time of War and resolutions 1894 (2009), 1888 (2009) and 1674 (2006), warring forces continue to attack civilians. Whatever the continent or the country, armed conflicts are invariably accompanied by massive violations of human rights, barbaric acts, particularly against women and children, and death and displacement among populations. This situation is unacceptable in human terms.

The Council's debates on this subject are of great importance to Gabon, as they allow us to evaluate progress made in our efforts to strengthen the regime for the protection of civilians. My delegation would like to highlight three points: the progress made; the shortcomings that have been noted on the ground and prospects.

The progress made relates mainly to the mandates of peacekeeping operations. During previous meetings on the agenda item under consideration, the Council has acknowledged the need to include a strong civilian protection dimension in the mandates of peacekeeping operations. In the light of the scale of the task in the host countries, the United Nations Mission in the Central African Republic and Chad (MINURCAT) and, above all, the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) symbolize the challenges faced by the United Nations in this area.

With respect to MONUC, solutions were attempted in the framework of resolution 1856 (2008), but they were unable to put an end to the abuse against civilian populations. The reconfiguration of MONUC and its transformation into the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) made it possible to take into account in MONUSCO's mandate the commitments set out in resolution 1894 (2009).

Pursuant to resolution 1925 (2010), the mandate of MONUSCO now attaches primary importance to the protection of civilians. In that framework, United Nations police, which are one of the components of MONUSCO, have now become involved in training Congolese police officers. It is also in that framework that the Armed Forces of the Democratic Republic of the Congo and MONUSCO forces have organized joint patrols to ensure the protection of civilians in the province of Haut-Uele, in the eastern part of the country.

The adoption of resolution 1923 (2010), which extended MINURCAT's mandate until 31 December, also addressed the demand for the protection of civilians. Concerned by the effects of violence in Darfur on the humanitarian situation and security in eastern Chad and in north-eastern Central African Republic, the Council wanted to ensure that MINURCAT would continue to grant particular attention to the protection of civilians, including refugees, displaced persons and humanitarian workers.

Clearly, in Chad, MINURCAT's mandate made it possible to help strengthen assistance to the Détachement Intégré de Sécurité (DIS), whose mission is specifically to protect civilians and humanitarian workers. Nevertheless, MINURCAT's drawdown will be complete by the end of this year. In order to enable the DIS to continue to play its role effectively, it seems essential that it should benefit from all of the operational camps left behind by MINURCAT. Gabon urges the Council to include that element in the framework of its support to the DIS continuity plan.

This progress is tenuous and should in no way mask the shortcomings highlighted by reality on the ground. The massacres carried out against civilian populations, particularly women and children, between 30 July and 3 August in Walikale, not far from a MONUSCO base, are terrible and intolerable. Beyond Walikale, women continue to be subjected to rape in the most humiliating conditions. Moreover, following the examples of the Lord's Resistance Army and the Forces démocratiques de libération du Rwanda,

warring forces regularly attack villages, and even refugee camps, killing civilians and recruiting children with impunity.

Given these continued abuses, the protection of civilians in armed conflicts remains an enormous task that is difficult to carry out. Although it is true that through its Operation Shop Window MONUSCO was able to restore calm in the east of the country after the events of Walikale, there is reason to question its ability fully to carry out its mission to protection civilians. The area it must cover, although limited to the region of the Kivus, is too vast. It is larger than Afghanistan, and the difficulties related to infrastructure seem insurmountable. The African Union-United Nations Hybrid Operation in Darfur and MINURCAT in the Central African Republic, to cite just two examples, are also facing the same challenges. The problem, therefore, is twofold: first, the ability of peacekeeping operations to adapt to their environment and, secondly, ensuring that the resources made available to them match the missions they are given. Gabon invites the Council to continue its reflection on those two issues.

The fight against impunity is another area where there are clear shortcomings and where Governments should work harder to avoid giving legitimacy to the crimes that are committed. It is true that, in some places, timid initiatives have been taken and, in many countries weakened by crisis, the rule of law is still in its early stages. However, it is crucial to ensure that the perpetrators of abuses against civilians are held accountable for their crimes before national jurisdictions and, in the case of the failure of national jurisdictions, the creation of ad hoc and mixed tribunals is essential.

We should recall that the primary responsibility for the protection of civilians belongs to States. Therefore, it seems to us essential to strengthen their capabilities in order to enable them to better respond to that obligation. We must help them to reform their security and defence sectors; we must help them to establish the rule of law and re-establish their administrative structures; and we must help them to undertake large-scale programmes against poverty and corruption. We are convinced that the protection of civilians can only be effective if States have reliable institutions, a stable republican army and police force and adequate financial resources.

In conclusion, my delegation hopes that the United Nations will establish mechanisms for evaluation, which could help improve States' performance in the protection of civilians in armed conflicts. The presidential statement that we will adopt and which was drawn up by your delegation reflects our commitment to work along these lines.

The President: I would remind people to keep their statements to four minutes. Not a single person has stuck to the designated time, and I will now crack the whip. I will stop you if you go over the designated time, so please keep your contributions to four minutes. If there are written contributions, you can, of course, circulate them.

Mr. Kazuo Kodama (Japan): I thank the Under-Secretary-General for Humanitarian Affairs, Ms. Amos, the Under-Secretary-General for Peacekeeping Operations, Mr. Le Roy, the United Nations High Commissioner for Human Rights, Ms. Pillay, and the International Committee of the Red Cross Director-General, Mr. Daccord, for their very pertinent briefings. It is clear that civilians in great numbers become victims when conflicts erupt. It is therefore imperative for us all to achieve concrete improvements on the ground with the help of today's debate.

To that end, we support the proposal by the Secretary-General to promote three approaches aimed at overcoming the five challenges raised in his previous report (S/2009/277). The first of the three approaches, the comprehensive approach, can be achieved when the actors involved are proactive and engage in greater cooperation with each other. First, it is the responsibility of the Government and the army of a country in which a conflict occurs to protect its own people. To that end, the rule of law should be established by promoting security sector reform and strengthening the judicial system and law enforcement.

Secondly, with the enhancement of the response capacity of United Nations peacekeeping operations, we are pleased to see that the United Nations missions in Côte d'Ivoire, the eastern Democratic Republic of Congo and the Sudan have developed strategies for the protection of civilians and that training modules will be completed shortly for all peacekeeping personnel. Still more comprehensive strategies are required to fill the gap between existing capacities and the standards to which we aspire.

Thirdly, the control of weapons, should be strengthened, especially through the promotion of regional cooperation and the creation of a legal framework. As for small arms, last June the fourth Biennial Meeting of States on Small Arms considered the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, which should be implemented without delay to prevent and eradicate the illegal trade in small arms. Also, the first Meeting of States Parties to the Convention on Cluster Munitions was held in Laos in early November, and the Vientiane Declaration and Vientiane Action Plan were adopted there. Japan would like to see the international community engage in the cooperation necessary to make that treaty universal and fulfil its provisions.

Fourthly, the protection of women and children is a priority. Japan appreciates the active discussions at the ministerial open debate on women and peace and security last month (S/PV.6411) and supports the utilization by the United Nations and Member States of a set of indicators in implementing resolution 1325 (2000). Japan is also concerned over the intentional use of sexual violence by armed groups, and therefore it supports the active efforts being made in that area by the Secretary-General's Special Representative on Sexual Violence in Armed Conflict. We expect UN Women also to play a significant role in coordinating the work being done in this field, and we reaffirm the need to strengthen targeted sanctions against persistent perpetrators of violence against children, in accordance with the resolution 1882 (2009).

Turning to the consistent approach, Japan welcomes the recent development of the operational concept by the Department of Peacekeeping Operations and the Department of Field Support aimed at promoting consistency. Cooperation between the military and civilians should be strengthened to further ensure humanitarian access. It is also a priority to protect humanitarian aid workers in order to prevent them from becoming the target of attacks. In that regard, the establishment of a nationwide network of interagency protection working groups, under the lead of the United Nations Mission in the Sudan (UNMIS), is a good example.

Secondly, in light of the need to share best practices and lessons from the past, we must definitely learn from the tragic and heinous accident of mass rapes that were committed in the eastern part of the Democratic Republic of the Congo earlier this year, which provided us with many lessons, including that the early warning system needs to be strengthened, communication between local people and peacekeeping missions needs to be developed, troop-contributing countries need to receive training, and there needs to be close and smooth communication between the Council and the Department of Peacekeeping Operations. An example of the kind of success we need in that area was the establishment in Timor-Leste of a hotline between the United Nations Mission and civilians and local authorities. The updated aide-mémoire should also be utilized proactively to this end. The experience of drawing down and then withdrawing the United Nations Mission in the Central African Republic and Chad (MINURCAT) should be shared, with a view to utilizing benchmarks for the protection of civilians.

Thirdly, the Council should obtain the most accurate and objective information and then make use of it on the ground in a timely manner, so that the establishment or renewal of a mandate related to the protection of civilians can be considered. For that reason, we should start to communicate with troop- and police-contributing countries at an early stage in United Nations involvement. The Council should utilize informal mechanisms, such as interactive dialogue, and the discussions in the Security Council should better reflect those taking place in informal expert groups.

Last but not least, Mr. President, I stress the importance of the accountable approach, which stresses maintaining accountability and fighting against impunity. To those ends, the affected country should build its own capacity to establish the rule of law as a means of strengthening the protection of civilians. And cooperation between the affected country and the United Nations should be pursued in order to spread the rule of law to many more countries. I might mention, in that connection, that in July this year the first conviction was handed down by the Extraordinary Chambers in the Courts of Cambodia, to which Japan has given its support. Further efforts should be made to strengthen the rule of law at both the international and the national levels, based on a careful analysis of the situation in each country. In addition, the Council should engage in efforts to strengthen accountability and enhance cooperation with United Nations organizations, including the Human Rights Council and

the Office of the United Nations High Commissioner for Human Rights. We should be aware that measures are being taken, such as the establishment of the committee of investigation at the Human Rights Council. As mentioned in the latest report of the Secretary-General (S/2010/579), strengthened monitoring on the ground, through the involvement of many United Nations and other actors, will contribute to promoting and enhancing the protection of civilians.

In closing, I would like to emphasize the relevance of the human security approach, which can serve as a conceptual basis for protecting and empowering those in a society who are its most vulnerable members. Empowerment of vulnerable people, such as children, internally displaced persons and refugees through education and training at the individual and community levels, is also an essential means of preventing conflicts from recurring once they have been resolved. For that reason Japan has been steadfast in providing support for such efforts, for example, through the United Nations Trust Fund for Human Security.

Mr. Rugunda (Uganda): We thank you for organizing this important debate on the protection of civilians in situations of armed conflict. We thank the Under-Secretary-General for Humanitarian Affairs, Ms. Valerie Amos, the Under-Secretary-General for Peacekeeping Operations, Mr. Alain Le Roy, and also thank the United Nations High Commissioner for Human Rights, Ms. Navanethem Pillay, and the Director-General of the International Committee of the Red Cross, Mr. Yves Daccord, for their informative briefings this morning.

Uganda remains concerned that civilians still account for the vast majority of casualties during situations of armed conflict. It is essential, therefore, to put in place effective safeguards for vulnerable persons during situations of armed conflict. We welcome the revised aide-memoire by the Office for the Coordination of Humanitarian Affairs (S/PRST/2010/25, annex) as a practical tool that provides a basis for improved analysis and diagnosis of key protection issues, and we are of the view that there is a need to continue its use on a more systematic and consistent basis.

We continue to witness blatant attacks on civilians by armed groups, such as the Rwandan Defence Forces and the Allied Democratic Forces in the Democratic Republic of the Congo, the Lord's Resistance Army in the Central African region and Al-Shabaab in Somalia. We deplore those attacks and reiterate our call on the international community to strengthen its collective resolve to deal effectively with groups such as those. The existence of such groups is a clear reminder of the challenge that we all face in dealing with non-State actors who commit such heinous crimes against civilians.

It is essential that peacekeeping mandates are realistic and robust and that peacekeepers have the necessary tools to undertake their protection mandates.

It is also important to focus on achieving durable solutions for refugees and internally displaced persons, in particular their voluntary, safe and dignified return or local integration and resettlement. As a result of conflict situations, Africa hosts 11.6 million of the world's 26 million documented internally displaced persons. In this regard, we underscore the importance of the United Nations working with regional and subregional organizations like the African Union to find durable solutions to protection issues.

We remain concerned by the humanitarian impact of conflict, especially the excessive accumulation and destabilizing effects of small arms and light weapons, as well as the devastating impact of landmines and explosive remnants of war. Even more significant for us is the recognition of the needs of persons with disabilities as a vulnerable group brought about by the indiscriminate use of those weapons.

Uganda recognizes that States bear the primary responsibility to respect and ensure the human rights of individuals within their respective territories, as provided by the relevant international law. We reiterate our commitment to those principles and urge all parties to armed conflict to endeavour to meet the basic needs of the civilians affected by such conflict. We also underscore the responsibility of States to comply with their relevant obligations to end impunity. To that end, we recall the outcomes of the first Review Conference of the Rome Statute, held in Kampala in May and June of this year.

It is necessary that all parties to armed conflict emphasize the dignity of civilians by recognizing losses that result from armed conflict, even those from lawful combat operations. In that regard, we encourage all parties to conflict to provide meaningful amends to affected individuals and communities, such as financial

assistance or funding for humanitarian aid programmes. We encourage all Member States to embrace the concept of making amends, not because there is any legal obligation to do so but simply in the interest of mitigating suffering and promoting humanity. A small gesture of compassion goes a long way in regaining the trust and understanding of the affected civilians. That has been the policy of the Uganda People's Defence Forces and continues to be implemented by the Uganda People's Defence Forces serving under the auspices of the African Union Mission in Somalia — AMISOM.

I would like to emphasize, however, that making appropriate amends never creates a licence to harm or an excuse for violations of international law. It is not a replacement for reparations, nor does it constitute an alternative for prosecuting those who are responsible for violations of international humanitarian law.

Finally, we pay tribute to the men and women of the United Nations who continue to serve in often difficult circumstances in the protection of civilians and, regrettably, sometimes pay the ultimate price.

Uganda thanks the delegation of the United Kingdom for its work on the presidential statement (S/PRST/2010/25) that we adopted this morning.

Mr. Puente (Mexico) (*spoke in Spanish*): I would like to join previous speakers in thanking Under-Secretaries-General Valerie Amos and Alain Le Roy for their very valuable briefings. I would also like especially to welcome the participation in today's meeting of Ms. Pillay and Mr. Daccord.

The great number and complexity of contemporary conflicts, the lack of respect for the norms of international humanitarian law and the use on civilian populations of increasingly sophisticated weapons with indiscriminate effects are factors that have increased the challenges facing the Security Council and constitute the basis for evaluating the path that the international community must take in dealing with those matters of crucial importance.

The Council must implement concrete, effective and forceful actions to tackle these situations. That is crucial for those who suffer the pain of armed conflict and is a requirement for States such as Mexico that are convinced of the preponderant role that the Security Council is called on to play.

Resolutions 1894 (2009) and 1882 (2009), promoted by Austria and Mexico in 2009, undoubtedly constitute significant progress, but we continue to witness attacks of various kinds on the civilian populations in different regions. In the Democratic Republic of the Congo, Somalia, Darfur, Chad, Afghanistan, Iraq, Gaza, Sri Lanka and Kyrgyzstan, to mention a few examples, the protection of civilians demands our prompt attention, because of both the variety of situations and the complexity of the scenarios, which require appropriate responses from the Security Council.

We are especially concerned with two specific aspects, given their impact on civilian populations — first, the denial of humanitarian assistance, and second, the use of explosives in densely populated zones.

Parties in armed conflicts barely comply with the obligation to permit and facilitate access of civilian populations to humanitarian assistance, subjecting them to greater risk. Compounding the difficulty are attacks on humanitarian workers in conflict zones and on facilities used in the delivery of assistance. The instruments of international humanitarian law are very clear about the obligations of States and parties in conflict to allow safe, timely and unhindered access to humanitarian assistance.

Regarding the use of explosives, the fact that there is no specific ban on the use of certain weapons does not mean that those weapons are permitted. We must condemn the use of explosives in areas where civilian populations are concentrated because of their indiscriminate effects and the attendant risks. We must add that the widespread availability of small arms and light weapons supplied by illicit traffic has direct adverse consequences on civilian populations.

It is essential to move forward in the effective implementation of Security Council sanctions regimes, particularly arms embargoes, and, more broadly, to enforce the international obligations of the relevant Palermo Protocol and the United Nations Programme of Action on the illicit trade in small arms and light weapons. We also believe it is necessary to deepen our analysis of the impact of certain explosive weapons, such as cluster munitions, landmines and improvised explosive devices, among others, in densely populated areas.

We believe that the international instruments in the area of international humanitarian law, in particular the four Geneva Conventions of 1949 and their Additional Protocols, as well as customary

international law, give us a solid basis of principles and standards designed to protect all of those who do not take part in hostilities or who have stopped participating. It is crucial that they be respected by all parties in conflict, regardless of who they are or the nature of the conflict in question.

Violations of international humanitarian law may be war crimes, and it is States themselves that have the primary obligation to prosecute their alleged perpetrators. If they cannot or are unwilling to do so, the International Criminal Court has jurisdiction to receive such cases. Its existence must not only be an incentive to strengthen national legal systems, but also an effective mechanism for addressing crimes when national judicial structures have been destroyed by conflict.

Our obligation to respect and enforce respect for international humanitarian law requires us not only to make use of the instruments at our disposal to ensure peace, security and international justice, but also to formulate a robust culture of respect that does away with impunity and repairs the harm inflicted on civilians in armed conflict.

During my delegation's presidency of the Security Council in June, we held a debate on the promotion and strengthening of the rule of law (see S/PV.6347), at which, through the adoption of a presidential statement (S/PRST/2010/11), we recognized that "respect for international humanitarian law is an essential component of the rule of law in conflict situations" and reaffirmed that "the protection of the civilian population in armed conflict should be an important aspect of any comprehensive strategy".

I wish to conclude by expressing the support of the Mexican delegation for the presidential statement adopted earlier (S/PRST/2010/25), including the updating of the aide-memoire, which is itself a useful tool for the establishment of a common basis for the responsibility of the Security Council and Member States to protect civilians in armed conflict. We hope that the Security Council will in the future adopt more forceful measures in response to the humanitarian impact of the use of explosives in densely populated areas and areas identified by the Secretary-General in his report on this issue.

Mr. Wang Min (China) (*spoke in Chinese*): I wish to thank Ms. Valerie Amos, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator; Mr. Alain Le Roy, Under-Secretary-General for Peacekeeping Operations; Ms. Navanethem Pillay, United Nations High Commissioner for Human Rights; and Mr. Yves Daccord, Director General of the International Committee of the Red Cross, for their respective statements.

China is gravely concerned about civilian casualties in armed conflict. We condemn all acts that deliberately target civilians. I wish to emphasize the following three points concerning the protection of civilians in armed conflict.

First, the protection of civilians in armed conflict must be strengthened in line with the Fourth Geneva Convention, international humanitarian law, and the principle of respect for State sovereignty, political independence and territorial integrity as enshrined in the United Nations Charter. National Governments bear the primary responsibility for protecting their own citizens. In a situation of armed conflict, the international community can assist in the protection of civilians, but such assistance should not substitute for the responsibilities and obligations of the national Government concerned.

Secondly, in strengthening the protection of civilians, attention should be paid to addressing the root causes and symptoms of conflict. The deployment of United Nations peacekeeping operations alone cannot offer a fundamental solution to the protection of civilians. The Security Council should prioritize preventive diplomacy in order to prevent and mitigate conflict. In a volatile conflict situation, the Council should commit to pushing for a strong and viable political process to achieve lasting peace and stability at an early date. The Council must focus on helping the affected countries to expedite security sector reform in order to build professional military and police forces and provide effective protection for their own citizens.

Thirdly, in order to ensure the effective protection of civilians, the various United Nations bodies and agencies must ensure a synergetic division of labour, with a clear focus on the effective implementation of existing commitments. The protection of civilians in armed conflict involves the development and evolution of international humanitarian law, which requires in-depth discussions with the broader membership with a view to reaching consensus. United Nations peacekeeping operations are deployed in varying

circumstances and conditions. Their priorities should be tailored to local specificities. The one-size-fits-all approach will not work.

Ms. Ziade (Lebanon): At the outset, allow me to thank you, Mr. President, for organizing this open debate. I also wish to thank Ms. Amos, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator; Mr. Le Roy, Under-Secretary-General for Peacekeeping Operations; and Ms. Pillay, United Nations High Commissioner for Human Rights, for their briefings. I further thank Mr. Yves Daccord for his statement.

While the international community has endowed itself with a solid normative framework to protect civilians in armed conflict, actual compliance with the existing standards remains far from satisfactory. How do we translate this normative progress into concrete improvement in the lives of the hundreds of thousands of civilians who suffer extreme violence and hardship during conflict?

If successful compliance with protection standards requires an integrated and comprehensive protection strategy in collaboration with the main humanitarian actors, it remains that the primary responsibility for civilian protection rests with the concerned Government itself. Furthermore, occupying Powers have the clear obligation under international law to protect the population under foreign occupation. We would like to stress in this regard the implications of severe and sustained violations of international humanitarian law in the Palestinian-occupied territories and the appalling humanitarian situation confronting the 1.5 million Palestinians confined to the Gaza Strip.

There is a prevailing awareness that United Nations peacekeepers cannot protect everyone from everything. However, protection is most successful when it is part of a larger strategy. The development by the Department of Peacekeeping Operations and the Department of Field Support of an operational concept and a framework to guide the preparations of protection of civilians strategies by missions is a good step in the right direction. There is a need, furthermore, to strengthen cohesion between mandates, resources and expectations, and to enhance peacekeeping capacity, especially in transport, communications and intelligence.

A mission that protects civilians under imminent threat but makes no progress in helping to address the underlying causes of the conflict will not lead to sustainable peace or to the durable and effective protection of civilian populations. The United Nations is invited to assist countries in advancing the peace process and peaceful coexistence through inclusive dialogue, reconciliation and reintegration. In the course of establishing genuine and sustainable peace, the rule of law and good governance should also be adequately addressed. The Security Council should also consider a more comprehensive and less selective approach to the protection of civilians in armed conflict.

Armed conflict is the source of devastating calamities. This is why, all around the world, brave and dedicated men and women strive to alleviate the suffering of innocent victims. All parties to a conflict should allow and facilitate the rapid and unimpeded passage of impartial humanitarian relief to civilians in need.

In his recent report (S/2010/579) on the subject of our debate today, Secretary-General Ban Ki-moon suggests that the Security Council has long recognized that the maintenance of peace and security will not be achieved or sustained without due attention being paid to redressing grievances, ending impunity and protecting the human rights of civilians. Based on that principle, Lebanon reiterates its demand that Israel pay due compensation for the tragic human, environmental and material losses caused by the war it waged on Lebanon in 2006.

During and subsequent to that war, Lebanon suffered greatly from cluster munitions, which are indiscriminate in nature and have a devastating effect on civilians at the time they are used and long after the fighting has come to an end. Today, I am honoured to inform the Council that, earlier this month, my Government submitted its ratification instruments on the Convention on Cluster Munitions. Furthermore, Lebanon has offered to host the second meeting of States parties to the Convention in 2011. In that regard, we urge States that have not yet done so to ratify the Convention.

It is a moral imperative for us to prevent conflicts and to place the people in need of protection at the centre of our efforts and policymaking.

Mr. Apakan (Turkey): At the outset, I wish to thank today's briefers for their comprehensive presentations.

Turkey welcomes the Council's increased attention to protection issues, including its adoption last November of resolution 1894 (2009), which was a significant step in this area. We also attach importance to recently adopted resolutions on women and peace and security and children and armed conflict.

There is no doubt that the primary obligation to protect civilians lies with States. However, the international community also has a shared responsibility to help to protect civilians in situations where States fail to do so. We therefore need to build collective awareness of the importance of that responsibility. We must also be able to agree on fundamental guidelines. The updated aide-memoire, which has been adopted today, provides a useful guide for improved analysis of key protection issues.

As mentioned in the report (S/2010/579) of the Secretary-General, while in the course of the past 11 years a comprehensive framework has been established, the emphasis must now be on making progress in enhancing protection on the ground. We must therefore translate our legal commitments into actions. The real problem lies with implementation, rather than norm-setting.

A case in point is Gaza, where tragic developments have taken place and civilians continue to suffer. In that regard, we will also follow up the inquiry process, both in Geneva and New York, on the Israeli attack against the humanitarian aid convoy to Gaza, which took place in international waters and resulted in nine civilian deaths and many wounded.

The protection of civilians during peacekeeping operations is one of the key challenges before us. Turkey attaches importance to incorporating that task in peacekeeping mandates, including effectively implementing it. Regional ownership and cooperation are also worth mentioning. Moreover, it is important to improve predeployment training on the protection of civilians for peacekeeping personnel, including taking into consideration cultural differences and sensitivities.

In some situations, civilians become victims in spite of the fact that parties fully comply with applicable law. Turkey calls upon parties to armed conflicts to make amends to the civilians they harm, with a view to respecting their inherent dignity as human beings.

Let me underline two issues. The first relates to dialogue with non-State armed groups. We understand the rationale of humanitarian access to civilians. However, Turkey believes that in doing so we should be extremely careful not to extend any sense of legitimacy to such organizations. Some terrorist groups in various parts of the world attempt to exploit such a humanitarian approach to gain international acceptance and recognition.

My second point is that we should make a clear distinction between the counter-terrorism efforts of law enforcement agencies and armed conflict. We strongly condemn all acts of terrorism. As indicated in the Council's presidential statement (S/PRST/2010/19) of 27 September, terrorism continues to pose a serious threat to the enjoyment of human rights and to social and economic development. It also undermines global stability and prosperity. Governments therefore not only have the legitimate right but also the obligation to effectively combat terrorism and fully and effectively cooperate with other States.

The issue of protecting civilians in armed conflict is a cause that the international community must pursue with unwavering determination. We believe that, in order to ensure long-term and lasting protection of civilians, human rights, the rule of law, democracy and good governance should be strengthened. We should also ensure that perpetrators of violence against civilians are held fully accountable for their actions. Sustainable prevention and protection will only be possible if there is no impunity.

Mr. Barbalić (Bosnia and Herzegovina): I would like to thank you, Mr. President, for organizing this debate. We would also like to thank Ms. Valerie Amos, Ms. Navanethem Pillay, Mr. Alain Le Roy and Mr. Yves Daccord for their comprehensive briefings.

Bosnia and Herzegovina welcomes the report of the Secretary-General (S/2010/579) and the latest update of the aide-memoire, which is an important practical and useful analytical tool to address issues related to the protection of civilians in armed conflict.

Allow me to start with the unfortunate and unacceptable fact that civilians continue to account for a high number of casualties in conflicts. Bosnia and Herzegovina condemns all deliberate attacks against civilians, forced recruitment, attacks on schools, the use of civilians to protect military objectives and the deaths resulting from the use of force.

Women and children continue to suffer extreme violence during conflicts. Recent events in the eastern part of the Democratic Republic of the Congo illustrate failures in the areas of both prevention and response. We should bear in mind that the struggle against impunity is an integral element of the protection of civilians, which cannot be addressed seriously without prosecuting those responsible for serious crimes. Efforts must be enhanced to support the fight against impunity, both at the national and international levels.

Sanctions and other targeted measures play an important role in overall efforts, as well as in initiatives to improve compliance with the law by non-State armed groups.

Although the primary responsibility for the protection of civilians lies with States and with parties to an armed conflict, the United Nations, with its systematic approach to the protection of civilians, must be, and is, at the helm of the global effort.

Positive developments must be supported and publicized. The enhancement of communication between the Working Group on Children and Armed Conflict and sanctions committees is one such example. Situation-specific resolutions calling for protection to be prioritized in the implementation of peacekeeping mandates constitute another such development. There have also been significant improvements in creating joint protection teams, as is the case with the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo. Activities have also been undertaken to foster interaction with local population and provide valuable information for assessments on the ground.

In addition, there must be support for the enhancement of accountability. Different justice and reconciliation mechanisms should also be considered, including national and international criminal courts and tribunals. Such mechanisms are aimed at supporting national-level investigation and prosecution.

Unfortunately, conflicts remain the major cause of the increasing number of refugees and internally displaced persons. We would like to emphasize the importance of unhindered access to humanitarian assistance to those vulnerable groups. We also express our awareness of concerns about the security risks and continued dangers faced by humanitarian personnel as they operate in increasingly complex situations. We urge the cooperation of all parties to a conflict in order to create areas of security and provide access for humanitarian assistance. The challenges facing the Council with regard to the protection of civilians call for greater international cooperation and better coordination between the Council and other United Nations bodies and agencies. To that end, additional efforts should be made to prevent conflicts and their recurrence and to promote early warning systems and effective responses to situations that specifically threaten civilian populations.

We support more comprehensive and detailed information on the protection of civilians in country-specific situations as well as on measuring progress in the implementation of peacekeeping mandates issues related to the protection of civilians. That is of key importance in the context of mission drawdown, as well as when identifying areas of concern, prioritizing response activities and ensuring accountability for actions or shortcomings.

Mr. Lyall Grant (United Kingdom): I now wish to make a statement in my capacity as representative of the United Kingdom.

I join others in thanking all the briefers today.

The United Kingdom believes that the protection of civilians should remain at the forefront of the Security Council's work. We know from experience why that needs to be the case.

In the Sudan, civilian protection is central to peacekeeping missions, particularly in Darfur, where more than 10 per cent of the population is living in camps. As the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator said, the continued poor security situation in parts of Darfur causes great suffering to the civilian population and impairs the ability of humanitarian agencies to provide essential assistance.

In Burma, we remain deeply concerned about the lack of progress towards national reconciliation and the implications for civilians living in ethnic minority areas and the border regions. In many of those areas, civilian continue to be targeted by the military. We remain very troubled by reports of indiscriminate attacks on vulnerable people, including women and children. Reports also document that many have had their land confiscated and their homes destroyed and have been forcibly relocated. The United Kingdom urges the Burmese regime to undertake meaningful

dialogue with ethnic groups to maximize the opportunities presented by the election for national reconciliation.

Recent mass rapes in the Democratic Republic of the Congo highlight the urgent need for enhanced civilian protection in the east of the country. The primary responsibility for the protection of civilians, as in other host Governments, rests with the Democratic Republic of the Congo authorities. However, the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo plays an essential role in supporting the authorities where they lack the capacity to provide such protection.

Today, we are pleased that the presidential statement (S/PRST/2010/25) recognizes the valuable role of the informal expert working group on protection of civilians and endorses the updated aide-memoire.

The protection of civilians debates are biannual and, unfortunately, I have to note again the lack of progress on issues of humanitarian access. The United Kingdom particularly deplores and condemns violent attacks on humanitarian workers by parties to the conflicts. We call on States and other parties to ensure that all affected civilians have access to humanitarian aid according to need and without discrimination. We need to see progress on that point before the next debate on this important issue. I now resume my functions as President of the Council. I give the floor to the representative of Italy.

Mr. Ragaglini (Italy): I, too, wish to express my deep appreciation to the Under-Secretary-General for Humanitarian Affairs, Ms. Valerie Amos, for her briefing, which gave us a broad perspective of the challenges we face in the protection of civilians in armed conflict.

I also wish to thank the Under-Secretary-General for Peacekeeping Operations, Mr. Alain Le Roy, the United Nations High Commissioner for Human Rights, Ms. Navanethem Pillay, and the Director-General for the Red Cross, Mr. Yves Daccord, for their contributions.

Italy fully endorses the statement to be made by the European Union (EU) delegation and wishes to make some additional observations.

Italy is committed to combating impunity for international crimes and believes that that fight is inextricably linked to the principle of accountability. The Council has a crucial role to play in that regard. It must be ready to take prompt action against those who continuously undermine the credibility of that commitment.

Non-compliance with international humanitarian laws inevitably leads to the injury or death of what is becoming a growing number of civilians every year. Every measure should be taken to prevent violence, starting with the implementation of national laws.

I would add that, in situations where civilian populations are the target of attacks, the Rome Statute of the International Criminal Court is an essential instrument that provides the legal basis for holding perpetrators accountable for attacks, when a State is unwilling or unable to do so.

We share concerns over the severity and prevalence of constraints on humanitarian access, as well as the frequency and gravity of attacks on humanitarian personnel. Consistent improvements in humanitarian access will only be made if States promote a culture of protection, taking into account the particular needs of women, children, the elderly, and persons with disabilities. Active hostilities, bureaucratic constraints and economically motivated attacks on humanitarian supplies are major obstacles on the path to protecting those in need.

This is why the acceptance of independent, neutral and impartial humanitarian action must be broadened. Under international law, primary responsibility for the security and protection of humanitarian personnel lies with the Government hosting a United Nations operation. Effective measures to enable relief activities during active fighting, including calling on parties to allow safe passage for civilians trying to escape from conflict zones, could represent a concrete and tangible set of actions that could be implemented.

We welcome the encouraging developments in the protection of civilians by peacekeeping missions as mentioned in the Council's latest report (S/2010/579). The protection of civilians, I wish to reiterate, is first and foremost the responsibility of the State, which may require assistance in the fulfilment of its duties in that area.

When a Government lacks the resources to ensure compliance with its obligations, the protection of

civilians is a moral obligation inherent to peacekeeping, although peacekeepers are not the only actors involved. Greater efforts should thus be made to ensure that peacekeeping mandates include explicit reference to civilian protection, clear strategies for pursuing it and careful monitoring of the implementation and impact of these mandates.

The security of civilians in post-conflict environments is also critical to the legitimacy and credibility of United Nations peacekeeping missions, the peace agreements they are deployed to implement and the United Nations itself.

These are difficult tasks that require a consistent approach, including advanced planning to ensure that future and current missions have the authority and capacity to protect. At the earliest stages of planning, threats to civilians must be taken into consideration, and peacekeeping missions must be properly tasked with clear, credible and achievable mandates to be implemented by military and police personnel who have received the appropriate training before deployment.

Training is crucial. It should be made standard on the basis of clear operational guidelines regarding the implementation of protection mandates by peacekeeping missions. Such guidelines should be drafted in close cooperation among the United Nations and other organizations involved, such as the African Union and the European Union.

Italy, in cooperation with the Secretariat, makes a key contribution to that sector through its Center of Excellence for Stability Police Units (CoESPU). In five years, the Center has already trained 3,630 trainers to prepare national contingents for deployment as formed police units.

The protection of civilians is greatly enhanced when the police and civilian components of peacekeeping missions are also involved. Hence, there is the need to strengthen the police component and integrate civilian capacities, particularly in the rule of law sector. That is indispensable to helping a country to fully resume national ownership and responsibility in the crucial area of protecting civilians.

Today, there is greater attention to understanding and advancing the protection of civilians. Thanks to remarkable efforts, there have been improvements in United Nations peacekeeping operations' ability to protect, but more needs to be done to transform our ambition into realities on the ground and to establish precise benchmarks to monitor implementation.

Resolution 1674 (2006) reaffirms the principle of the responsibility to protect. As we have stressed on previous occasions, that principle should not be perceived in an adversarial manner but rather as an instrument available to the international community for settling conflicts, provided that the conditions referred to in paragraphs 138 and 139 of the 2005 Outcome Document are met.

The informal interactive dialogue of the General Assembly on early warning, assessment and the responsibility to protect was an important step towards understanding and implementing the concept. We look forward to new opportunities to continue that dialogue.

Mr. Rivard (Canada): On behalf of the Government of Canada, I would like to thank the United Kingdom for having convened this open debate. I also wish to express my appreciation to today's speakers for their remarks.

We welcome the Secretary-General's eighth report on the protection of civilians in armed conflict (S/2010/579). The report offers a sobering view of the situation facing civilians in armed conflict. It also offers a clear set of actions that can be taken by the Council to better respond to protection needs.

Ten years after the adoption of Security Council resolutions 1265 (1999) and 1296 (2000), the linkage between civilian protection and the maintenance of international peace and security has been firmly established. Subsequent resolutions, including those on women, peace and security and on children and armed conflict, have demonstrated the Council's resolve to better protect civilian populations living in situations of armed conflict, as has the Council's regular consideration of protection concerns and strategies in country-specific contexts.

(*spoke in French*)

In his previous report, the Secretary-General identified the overarching challenges we all must face, as well as the crucial steps to be taken to better protect civilians. Here, I would like to address a number of such measures that we view as being of particular importance.

First, it is important that the Council consider comprehensive approaches to the better protection of civilians in situations of armed conflict. We agree with the Secretary-General that new and innovative ways need to be identified to address country-specific situations that are not on the Council's formal agenda. In doing so, the Council could send a strong message that it is determined to take action against attacks deliberately targeting civilian populations.

Canada strongly encourages Council members to ensure greater consistency in terms of how the Council addresses protection issues. In that light, the aide-mémoire on the protection of civilians and the informal group of experts are important tools that could be drawn upon by the Council to a greater extent in order to make well informed decisions. The aide-mémoire, in particular, is an important guidance document that reminds the Council of the full range of tools at its disposal in situations where civilian populations are at risk.

At the same time, the Council would benefit from better defined criteria its disposal to complement the aide-mémoire in assisting the Council in determining when and how to intervene. That is particularly true for those situations of which the Council is not actively seized but where there are concerns with regard to protection and where strategic and targeted attention by the Security Council could yield results.

(*spoke in English*)

Secondly, comprehensive protection strategies need to be fully integrated into the day-to-day work of United Nations country teams and peacekeeping missions. For the latter, it is important that protection-of-civilian mandates be fully considered in the planning, resource-allocation and training stages of missions. In that regard, we welcome ongoing efforts by the Department of Peacekeeping Operations to develop an operational framework as called for in resolution 1894 (2009). We strongly encourage that Department and others to ensure that such a framework builds on the key indicators identified in resolution 1325 (2000).

In addition, protection considerations should ultimately inform decisions to drawdown or withdraw United Nations peacekeeping personnel, as well as decisions on how resources are allocated. But, protecting civilians is not just a job for military personnel. For all United Nations actors on the ground, both civilian and military, protection strategies should be clear, concrete and measurable, drawing on clear indicators and benchmarks. They should also be well coordinated with all actors — local, national and international.

Thirdly, Canada believes that enforcing strict accountability for those who target civilian populations is fundamental. States must fulfil their obligations to investigate and prosecute persons suspected of such crimes, and, where appropriate, cooperate with international judicial institutions to ensure that perpetrators are brought to justice. Monitoring and reporting mechanisms should be strengthened to ensure that violations of international human rights and international humanitarian law are documented and reported to the Council. Such mechanisms can be critical in terms of providing early warning information leading to the implementation of effective preventive and protective measures.

In that regard, we applaud ongoing efforts to put in place an effective monitoring mechanism to report to the Council instances where humanitarian access is deliberately delayed or denied. We strongly encourage the Council to act on such information when it is received and to take appropriate steps to address violent attacks against humanitarian personnel as well as to deal with bureaucratic constraints that deliberately hamper efforts to access those in need of life-saving assistance.

In conclusion, the protection of civilians is inextricably linked to the maintenance and promotion of freedom, democracy, human rights and the rule of law. Translating protection norms and our collective statements of support into concrete, effective, meaningful and measurable actions has not been and will not be easy. It will require the ongoing and full attention of the Council. The Government of Canada stands ready to continue to support Council efforts on this important issue.

Mr. Seger (Switzerland) (*spoke in French*): I thank you, Sir, for having convened this open debate. I also thank the Secretary-General for his latest report on the protection of civilians in armed conflict (S/2010/579).

Switzerland welcomes the adoption of the presidential statement today, which reaffirms the importance of the achievement made so far in the protection of civilians. I would also like to warmly

congratulate Ms. Valerie Amos on her appointment to the post of Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator.

Over the past ten years, the activities of the Security Council have been increasingly influenced by the issue of the protection of civilians. Encouraging progress has been made, especially in terms of establishing general standards, as well as in taking into account the specific protection needs of women and children. Other bodies of the United Nations system have followed the Council's lead, showing that the protection of civilians is by no means the prerogative of a single body. For example, the Special Committee on Peacekeeping Operations has worked over the past three years on a common definition of the strategic framework within which a mission must perform its tasks relating to the protection of civilians as defined by the Security Council.

However, the impact of those developments will have little value if they are not transformed into a tangible improvement in civilian protection on the ground. We therefore encourage the Security Council, and in particular its informal group of experts on the protection of civilians, to take that into account in their work.

I would like to focus my remarks on four central aspects of the report of the Secretary-General before the Council today, which are: engagement with non-State armed groups, humanitarian access, the standards governing the activities of private security companies, and, lastly, the issue of the humanitarian impact of explosive weapons.

First, Switzerland agrees with the Secretary-General's evaluation of the need for greater respect for the law by non-State armed groups and stresses the importance of preventing obstacles to the efforts of humanitarian organizations in that regard. We are concerned by the impact that the adoption of lists of terrorist groups may have on efforts to strengthen the protection of civilians. In our view, it is important rather to gain a better understanding of the motivations of non-State groups and to identify strategies to ensure that they fully respect the law. In that connection, Switzerland welcomes the work of the Geneva Academy of International Humanitarian Law and Human Rights referred to in the report.

Secondly, humanitarian access remains a crucial element for all protection and aid activities relating to people affected by armed conflict and violence. Switzerland expresses its concern with regard to the growing restrictions on access granted to humanitarian actors in conflict zones. We also wish to reiterate that it is the primary responsibility of States to provide their people with protection and aid. To do so, States must ensure swift and unrestricted humanitarian access. In that regard, the Security Council needs to continue in its efforts to monitor constraints on humanitarian access and, where necessary, take the necessary measures to eliminate any such obstacles.

Thirdly, with regard to the normative framework in conflict situations, private security companies are playing an increasingly important role. It is essential that those companies undertake to abide by and respect international norms. We therefore welcome the recent signature of an international code of conduct by some 60 private security companies, under which they have committed to respect human rights and humanitarian law in their activities. This initiative, the first of its kind, was jointly launched by Switzerland and industry associations. The code should be considered as just part of a series of initiatives. Indeed, in 2008, Switzerland and the International Committee of the Red Cross presented the Montreux Document, which reminds States of pertinent international obligations and good practices related to operations of private military and security companies during armed conflict.

In conclusion, we think it appropriate to continue to follow the issue of explosive weapons, especially with a view to better implementing international humanitarian law. The use of certain explosive weapons in densely populated areas is clearly a major source of suffering for civilians in situations of armed conflict. A more in-depth study could, for example, reveal the extent to which greater protection could limit these impacts.

The President: I now give the floor to the representative of Israel.

Mr. Reuben (Israel): I thank you, Mr. President, for convening this important debate. I also wish to thank Under-Secretary-General Amos, Under-Secretary-General Le Roy, High Commissioner Pillay and Director-General Daccord for their informative briefings.

Today's debate raises some of the most complex and challenging issues facing the international community. Israel's deep commitment to protecting

civilians in armed conflict is reflected by our extensive cooperation with the International Committee of the Red Cross and the United Nations in this area and at all levels. It is also shown by the extraordinary efforts that we take to avoid causing civilians harm during combat operations.

Israel is encouraged by the continued efforts of the Security Council and the Secretariat in this area since July's briefing (see S/PV.6354) and welcomes the latest report of the Secretary-General (S/2010/579). We note the considerable progress on this issue. However, it remains clear that the international community continues to face major challenges and difficult operational, humanitarian and moral dilemmas in ensuring that civilians are protected in armed conflict.

Foremost among these challenges is the new and complex phenomenon of asymmetric warfare, which blurs the important distinction between combatants and civilians under the laws of armed conflict. In our region and in many other corners of the world, regular armies are increasingly finding themselves fighting terrorists or guerrilla organizations that deliberately operate within the vicinity of civilian populations.

This phenomenon produces a horrific transformation of the civilian landscape: religious institutions becoming launching pads for rockets and artillery; schools and hospitals becoming storage facilities for weapons and terrorist infrastructure; and residential neighbourhoods becoming combat zones.

Recognizing that there are no simple solutions, the Security Council must seriously consider the many dilemmas inherent in asymmetric warfare. While upholding the central value of protecting civilians in conflict, the Council and other international bodies cannot ignore the tragic reality in which terrorists deliberately put innocents in harm's way.

Israel's experience illustrates that terrorists' blatant disregard for protecting human life is not restricted to the civilians of their adversary; it often extends to their own people. In the Gaza Strip, Hamas launches rockets and mortars at Israeli towns from densely populated areas and cynically places its arms and munitions in installations inside and adjacent to mosques, hospitals and schools. Only last week, we witnessed yet another series of rocket attacks from Gaza designed to target and terrorize Israeli civilians.

In Lebanon, Hizbollah deploys weapons and builds its military infrastructure within the fabric of civilian life, endangering the Lebanese population. For example, within the past 16 months, three Hizbollah weapons caches have exploded in the villages of southern Lebanon. The last such explosion took place in the Lebanese village of Shehabiyya on 3 September, causing the injury of five individuals.

Given the threats it faces on its borders, Israel — in full conformity with its international obligations — has sought to protect civilians while it pursues the terrorists who hide among them. Israel's Supreme Court has addressed the significant challenges inherent in balancing these two objectives during active warfare and at times has suspended military operations to this end. In pursuit of this goal, my country also employs many independent oversight mechanisms and places a humanitarian affairs officer in every combat unit above the battalion level with the goal of minimizing casualties and damage to civilian property.

Israel also wishes to express its continued support for the work of humanitarian agencies that provide essential services on the ground. In considering the protection of civilians in armed conflict, we all must remember that, under international humanitarian law, the right to free movement of humanitarian personnel is subject to military necessities and security considerations. These considerations include the safety of the humanitarian personnel themselves and the need to prevent the abuse of humanitarian channels. We cannot ignore the fact that terrorists such as Hamas often abuse such access privileges, which can endanger humanitarian workers and obstruct the movement of aid.

The subject of today's debate calls for careful consideration about how to best protect civilians in the face of terrorism and within the complex reality of asymmetric warfare. For its part, Israel will continue to share its experience in this critical debate as part of our nation's commitment to the rule of law and to the fundamental value of protecting civilians.

The President: I now give the floor to the representative of Afghanistan.

Mr. Tanin (Afghanistan): First, let me thank you, Mr. President, for convening this meeting on the protection of civilians in armed conflict — a topic of particular importance in Afghanistan. I would also like to thank the High Commissioner for Human Rights and

the Under-Secretary-General for Humanitarian Affairs for their briefings, and welcome the recent report of the Secretary-General on the protection of civilians in armed conflict (S/2010/579).

Nine years ago, the Afghan people overwhelmingly supported the United States-led intervention and joined the United States and coalition forces in the fight against terrorism. They saw the international military campaign as crucial to security in the country and the region and to bringing an end to their suffering. From 2001 to 2006, the trust and cooperation between the Afghan people and the international community helped the country to become increasingly stable. However, with the re-emergence in 2006 of the Taliban from sanctuaries in the region and its attempts to attack national and international forces, parts of the country began to slide back into conflict. Violence and insecurity, particularly in the past two years, have widely affected people's security, and thousands of civilians have lost their lives. The increase in the number of civilian casualties has negatively affected the people's trust in the prospect of peace, security and development in the country.

Afghans are the first to feel the tragic effects of conflict in their country. Civilian casualties are caused mainly by intentional acts of the Taliban, Al-Qaida and other extremist groups. Terrorists and extremists have recently expanded the scope of their activities, attacking all sectors of Afghan society. By resorting to new and brutal tactics, including suicide bombings, abductions, targeted assassinations and the indiscriminate use of improvised explosive devices, they show complete disregard for human life. Furthermore, terrorists and extremists continue to conduct attacks from densely populated areas and to use civilians as human shields. Nevertheless, there are also a number of unfortunate, unintended casualties resulting from the military operations and activities of international forces and the joint military operations of both international and Afghan forces.

As shown in the 2010 mid-year report of the United Nations Assistance Mission in Afghanistan (S/2010/463), the number of civilian casualties due to violence in my country has increased. In the first six months of 2010, there were 3,268 civilian casualties, including 1,271 deaths as a result of armed conflict — or an average of over 18 civilian casualties a day. It shows a 31 per cent increase from the same period last year. Seventy-six per cent of the incidents were the result of the activities of the Taliban and Al-Qaida terrorist groups. Six thousand civilian casualties occurred in 2009.

In discussing civilian casualties, let us remember that we are referring to people — to the loss of human life, all too often of innocent women, children and elders. Such deaths must not be looked at as merely the consequences of ongoing violence or as collateral damage. Each death in Afghanistan represents a life lost, a family left behind and an entire future denied its potential.

The protection of civilians during military operations is our shared responsibility and an international obligation. Increased coordination between international and Afghan forces during military operations and greater cooperation between the international community and the Afghan Government are necessary for ensuring the safety and security of civilian populations.

This is an important issue that has long been a crucial point of discussion with Afghanistan's international partners. My Government has called on international forces to take measures necessary to minimize or eliminate civilian casualties. We appreciate the NATO commanders' commitment to give a central place to the protection of civilians in their new military strategy. We hope that further necessary steps will be taken in this regard so as to safeguard the lives and rights of Afghan civilians, particularly in the areas affected by conflict.

To protect the lives of civilians, Afghanistan is committed to working with the international community to achieve lasting peace and stability in the country. The protection of civilians must be placed in the context of the emerging transition, in which Afghan national forces will begin to assume full responsibility by 2014.

Just this weekend at the NATO summit in Lisbon, we embarked on the transition from an internationally guided process to an Afghan-led one. Security is at the core of this transition. It is essential that NATO and our international partners enhance training for Afghan security forces in order to ensure enduring security and consequently the elimination of civilian casualties. The transition is happening while the enemy is attempting to disrupt the Government's activities and continuing its attacks on the Afghan people and Government and the international forces. As the Afghan Government

seeks to prepare itself to take on the responsibility for leading security efforts, the continuing support of the Afghan people for our shared efforts and their active participation in the stabilization process are crucial to success.

The protection and promotion of the rights of civilians should be among the top priorities of the international engagement in Afghanistan. In his address to the heads of State at the NATO summit in Lisbon, President Karzai said,

> "We are in dialogue with the International Security Assistance Force on issues of serious concern to the Afghan people, in particular: civilian casualties, detentions, lawless behavior by some security companies and, at times, NATO's posture. We need the space to discuss these issues and resolve them in a spirit of collaboration and teamwork. The sustainable solution to these issues will, of course, come from the realization of our common objective of replacing international forces with Afghan security forces."

We are of the conviction that civilian protection is not confined to preventing civilian casualties. Ending the loss of civilians requires the establishment of lasting peace and stability. The recent Joint Coordination and Monitoring Board's progress report on the Afghanistan National Development Strategy, covering the first 100 days after the Kabul Conference, rightly points out that we have achieved more success in improving security. Afghanistan has completed 89 per cent of planned activities in the area of security and has exceeded expectations in the growth of the national army and national police.

In addition to military efforts, the Afghan Government is engaged in a comprehensive outreach initiative aimed at achieving lasting peace and security. The Afghan-led peace process calls on the Taliban to lay down their arms and join the peace process and reconciliation efforts. Engaging the armed opposition in peace talks, creating Afghanistan's High Peace Council and selecting 60 members for it are significant steps towards strengthening peace and reconciliation efforts. Our national reconciliation process is based on our growing responsibility for the promotion of human rights, building trust and continuing outreach to the people of Afghanistan.

Going forward, the issue of protecting civilians in armed conflict will continue to be central to our national efforts. Today's meeting reminds us of the importance of civilians in the overall work of the United Nations and the international community's efforts in general. We look forward to further collaboration with our international partners in achieving our ultimate objective: ending violence and attaining lasting peace. The success of our joint efforts is the best way to ensure the protection of civilians.

The President: I now give the floor to the representative of Australia.

Mr. Quinlan (Australia): Thank you, Mr. President, for the opportunity to address the Council on a decisive issue that goes to the core of the Council's role in maintaining international peace and security and building the defences of peace. This, of course, is the issue of the protection of civilians in armed conflict. I would like to thank the United Kingdom for convening this debate, and the introductory speakers this morning for their presentations.

My statement today will obviously not be able to do justice to all the challenges presented in the Secretary-General's report (S/2010/579), so I would like to briefly draw attention to three issues.

First, we need to ensure there is greater compliance with international humanitarian law. Australia is concerned about the increased indiscriminate targeting of civilians with explosive weapons, including improvised explosive devices (IEDs). The most recent Secretary-General's report on the situation in Afghanistan (S/2010/463) reported an 82 per cent increase in IED incidents, which is an alarming trend. We support the Secretary-General's recommendation for further systematic data collection and analysis of the human costs of the use of explosive weapons.

Secondly, we support the Secretary-General's call to move away from a selective approach to addressing the protection of civilians. We must acknowledge that peacekeeping is but one tool at the disposal of the Council in protecting civilians. The most effective way, of course, is to prevent the conflict in the first place.

In this vein, we welcomed the initiative of the United Kingdom earlier this month in convening a meeting of the Council with Under-Secretary-General

Pascoe at the start of the month to provide a briefing on global hotspots. The Council, as members know better than I, has a heavy, labour-intensive agenda each month — much of it predetermined through regular mandate renewals, reviews of reports by the Secretary-General, thematic reviews. We think that an early, focused briefing on hotspots, such as was undertaken this month, should better prepare the Council to anticipate trouble and take action as required to prevent conflict and to protect civilians.

Thirdly, I would like to discuss an issue on which Australia has been particularly active. Uniformed components of peacekeeping missions need guidelines to implement protection-of-civilians mandates. Guidelines are necessary to enable troop and police contingents to understand their responsibilities and adequately prepare and execute protection-of-civilians mandates. Guidelines will assist peacekeepers in their engagement with the local population, their anticipation of threats and the assessment of the use of force and deterrence permissible under the mandate. The development of guidelines will also assist in determining the necessary resources and capabilities and the overall management of expectations.

Australia has been pleased by the considerable progress that has been made during the last 18 months in this area. We are encouraged by the development of a strategic framework to guide senior mission leadership in the development of mission-specific strategies on the protection of civilians, following a request by the Special Committee on Peacekeeping Operations earlier this year. We look forward to co-hosting, with Uruguay, another workshop here in New York on 6 December to enable discussion between the Secretariat and Member States on that framework. We have also been pleased to contribute in a small way to the work under way to develop African Union (AU) guidelines on protection of civilians, as referenced in the Secretary-General's report. We will continue to assist the AU in that endeavour.

Despite some progress, much work obviously and inevitably remains to be done. Public information strategies are needed to manage international and local expectations regarding the ability of a peacekeeping mission to protect civilians, including the reality that peacekeepers cannot possibly protect everyone, everywhere, all of the time. Australia encourages United Nations missions to develop risk mitigation strategies where insufficient resources are available to physically protect all civilians. As examples, those could include visits to areas within missions where there is not a permanent United Nations presence, the establishment of mechanisms to encourage dialogue with the local population and the establishment of effective communication mechanisms to provide early warning, as is already the practice in some missions.

The use of benchmarks in peacekeeping mission mandates is an important tool for the articulation of the Council's expectations. Benchmarks on the protection of civilians need to be included from the mission outset, should include effective indicators to measure progress and need to be used as a basis for determining when a peacekeeping mission may draw down. To support such initiatives, as requested in resolution 1894 (2009), there also needs to be a comprehensive and consistent approach to reporting on protection of civilian issues as part of peacekeeping operations.

To conclude, we welcome the presidential statement that was adopted at the start of today's debate (S/PRST/2010/25). As we know, the majority of casualties in a conflict are civilians. The Permanent Representative of Afghanistan, the preceding speaker, has just reminded us very well of what that means: the loss of life. As the Secretary-General's own report says, the unstinting and rigorous attention of the Council to the protection of civilians remains vital and must be at the centre of not just its deliberations, but more decisively, of course, its actions.

Mr. Abdelaziz (Egypt): I have the pleasure to address the Security Council on behalf of the Non-Aligned Movement, and to start by expressing the Movement's appreciation to you, Sir, for having organized this debate. I also wish to thank Baroness Valerie Amos, Under-Secretary-General for Humanitarian Affairs, Mr. Alain Le Roy, Under-Secretary-General for Peacekeeping Operations, Ms. Navanethem Pillay, High Commissioner for Human Rights, and Mr. Yves Daccord, Director-General of the International Committee of the Red Cross, for their briefings today.

Despite all the efforts exerted by the United Nations, including the Security Council, civilians around the world are still suffering in massive numbers. The measures adopted so far have proved to fall short of addressing the wider implications of attacks against civilians, their impact on international peace and security and their humanitarian impacts. The Secretary-

General's report (S/2010/579) prepared on this topic and submitted pursuant to resolution 1894 (2009) also highlights ongoing and emerging concerns regarding the state of the protection of civilians, such as the proliferation and fragmentation of non-State armed groups, the displacement of civilians within and across borders, the continued violence and hardship that women and children face during conflict and the continued existence of a culture of impunity.

In that regard, the Non-Aligned Movement believes that due priority should continue to be given to promoting knowledge of, respect for and observance of States' obligations assumed under the United Nations Charter and international, international human rights and international humanitarian law, in particular the four Geneva Conventions of 1949 and their 1977 Protocols. We call upon all parties to armed conflicts to redouble their efforts to comply with their legal obligations by, inter alia, prohibiting the targeting of civilian populations, civilian property and certain special property during armed conflict, and by obliging parties to any conflict to ensure general protection against threats to civilian installations, hospitals, relief materials, means of transportation and the distribution of such relief materials arising from military operations.

The Movement reiterates its condemnation of the increasing attacks on the safety and security of humanitarian personnel, and urges the Governments of United Nations Member States to ensure respect for the protection of the personnel of humanitarian organizations, in conformity with the relevant provisions of international law. In the meantime, we reaffirm that humanitarian agencies and their personnel should respect international humanitarian law and the laws of the countries where they operate, the guiding principles of humanitarian assistance set forth in General Assembly resolution 46/182 and its annex and the principle of non-interference in the cultural, religious and other values of the population in the countries where they operate.

Furthermore, in the peacekeeping context, the Non-Aligned Movement stresses that the protection of civilians under imminent threat of physical violence is the primary responsibility of each host country of any peacekeeping operation. It further stresses that relevant peacekeeping missions with such a mandate should conduct their tasks without prejudice to the primary responsibility of the host Government to protect civilians. The successful conduct of tasks relating to the protection of civilians, wherever a United Nations mandate exists, requires a holistic approach that encompasses the provision of timely and adequate resources, logistical support and the required training, as well as clearly defined and achievable mandates.

The principle of consent of the host State as a founding principle of peacekeeping must be fully respected. That requires open political discussions between senior mission leadership and national authorities, as well as follow-up on how to implement all mandated tasks, including the protection of civilians.

Moreover, the Movement raises doubts regarding a number of the recommendations of the November 2009 independent study, entitled *Protecting Civilians in the Context of United Nations Peacekeeping Operations*, jointly commissioned by the Office for the Coordination of Humanitarian Affairs and the Department for Peacekeeping Operations. The Movement underlines that any suggestions or recommendations in that area must be addressed in a comprehensive and holistic approach, taking into account the need to provide all necessary capabilities and resources for the implementation of protection mandates given by the Security Council to United Nations peacekeeping operations in a timely and efficient manner. That must also be done while refraining from using the concept of the protection of civilians as a pretext for military intervention in armed conflicts by the United Nations, especially considering the limited resources that are currently available to peacekeeping operations to fulfil their original mandates and the existing legal challenges in identifying who the civilians that peacekeepers would protect are and how to differentiate between them and insurgents in some areas of operations.

In that context, the role of peacekeeping missions as protection actors needs more clarification, including from the conceptual and operational aspects. Further in-depth political discussion on how to enable peacekeepers to better fulfil their protection tasks is needed, bearing in mind that peacekeepers cannot protect everyone everywhere.

The Non-Aligned Movement condemns Israel's continued violations against Palestinian civilians in the occupied Palestinian territory in breach of international, international humanitarian and international human rights law, as well as United Nations resolutions. The Movement stresses the need to provide protection for

Palestinian civilians in the West Bank, the Gaza Strip and Jerusalem against grave human rights violations by Israel, including the use of excessive and indiscriminate force, which has killed or injured thousands of Palestinian civilians, including children, and has caused vast destruction of property, infrastructure and agricultural land.

Also in that context, the Secretary-General's report expands, in an unjustified manner, the definition and scope of the term armed conflict to include in that definition situations that are not considered armed conflicts according to the United Nations Charter and international law. In the meantime, the report ignores some other situations that are internationally recognized as clear violations of international and international humanitarian law, such as the tragic incident of the humanitarian flotilla attacked on the high seas despite its humanitarian nature.

Let me conclude by reiterating the importance of the role of the Security Council, with regard both to more effective involvement in the protection of civilians in conflict situations and to focusing on the importance of accountability and the need to investigate violations of international humanitarian law and putting an end to impunity. The Non-Aligned Movement believes that the Council should alter its practice and attach priority to providing protection to civilian populations in imminent danger in conflict situations at an early stage, and separate those actions from Council discussions on the controversial political dimensions of the conflict. In that way, as many lives of affected civilians trapped between combatants in conflict areas as possible could be saved.

The President: I now give the floor to the representative of Indonesia.

Mr. Kleib (Indonesia): Mr. President, let me begin by joining previous speakers in extending our appreciation to you for convening this open debate.

We thank the Secretary-General for his report (S/2010/579). We are also grateful to the Under-Secretary-General for Humanitarian Affairs, the Under-Secretary-General for Peacekeeping Operations, the High Commissioner for Human Rights and the Director General of the International Committee of the Red Cross for their respective briefings.

My delegation associates itself with the statement just delivered by the representative of Egypt on behalf of the Non-Aligned Movement.

Notwithstanding the pronounced focus on the issue of the protection of civilians in armed conflicts over the past decade, the deplorable fact remains: civilians continue to fall victim to violence. Persistent violations occur that include deliberate targeting of civilians, the indiscriminate and excessive use of force, sexual and gender-based violence, and attacks against relief workers and humanitarian aid convoys, all in violation of international law, human rights law and refugee law.

However, we States Members of the United Nations are adamant about respecting and promoting the core principles of the Organization. Human life and human dignity must be at the forefront of our consideration, be that in time of peace or, more importantly, in time of war. That is the core goal of the United Nations. That objective has led us to evoke and build an elaborate architecture for the protection of civilians. That in turn has laid the foundation for the further proliferation of initiatives and measures at the regional and global level.

Allow me to express three points on the Secretary-General's first report to stem from resolution 1894 (2009).

First, the Council's framework requires a comprehensive approach that embodies the three pillars of the United Nations, namely, human rights, development and security. The report makes a strong case for the link among human rights, humanitarian relief and security efforts. However, there is little mention of development efforts in the report. We can argue that development is not within the purview of the Council. For that matter, neither are human rights and humanitarian issues. They are not, strictly speaking, within the Security Council's mandate. Thus, because we wish to see consistency in the application of the three pillars mentioned earlier, we hope that the next report will also highlight the development aspect. We Members of the United Nations must have a complete picture of the situation on the ground.

Capacity-building to resolve and deter possible conflicts is an important part of the normative framework to protect civilians. For that reason, we support the report's recommendation to increase funding for humanitarian and development actors in

the context of the drawdown of United Nations peacekeeping and other relevant operations.

Secondly, peacekeepers need to be provided with the resources required to fulfil their mandated tasks. The United Nations should provide a well-defined benchmark for the ratio of peacekeepers to civilians in the assigned areas of deployment. And there is a need to provide peacekeeping missions with appropriate guidelines on the protection of civilians.

We need to continue this dialogue across regions. In line with paragraph 34 of resolution 1894 (2009), on consultation and cooperation across the regions, we recently collaborated with the Government of Norway to organize a regional workshop in Jakarta on international humanitarian law and the protection of civilians. It was the first of a series of regional workshops, with two others planned for 2011, one in Africa and the other in Latin America. The goal was to enhance understanding of the application of international humanitarian law in light of the contemporary challenges we face.

Thirdly, the Geneva Conventions are the underpinnings of international humanitarian law. The report alludes to cases where humanitarian relief work is impeded, which has led to mounting demands that Member States be made accountable. We note that approach, but accountability will fail to bear fruit unless Member States have the capacity to deliver on their responsibilities. Such capacity can be delivered through international cooperation. That is the logic of cooperation and accountability.

States that have capacity must be held accountable. The report clearly describes that Israel has not fully lifted its so-called bureaucratic restrictions that continue to impede the implementation of a humanitarian response commensurate with the existing humanitarian need. Israel has the capacity to fulfil its international obligations, and therefore Israel must be held accountable.

We value the Security Council's continued efforts to protect civilians in situations of armed conflict in a way consistent with its Charter-mandated responsibilities. We believe that while the best protection from armed conflict is found in the prevention and resolution of conflict, in the absence of peace we must remain vigilant as to the impact of conflict on the civilian population. We must do our best to protect civilians and minimize human suffering and death.

Having said that, let me conclude by stressing that Indonesia values human rights, we value security and we value development. That triangle of goals must be preserved and promoted so that we can unremittingly honour civilians in armed conflict.

The President: There are still a number of speakers remaining on my list for this meeting. I intend, therefore, with the concurrence of Council members, to suspend the meeting until 3 p.m.

The meeting was suspended at 1.15 p.m.

United Nations S/PV.6427 (Resumption 1)

Security Council

Sixty-fifth year

Provisional

6427th meeting

Monday, 22 November 2010, 3.05 p.m.
New York

President:	Mr. Parham	(United Kingdom of Great Britain and Northern Ireland)
Members:	Austria	Mrs. Nguyen
	Bosnia and Herzegovina	Ms. Kuljanin
	Brazil	Mr. Vargas
	China	Ms. Li Jijuan
	France	Mr. Lebrun-Damiens
	Gabon	Mrs. Onanga
	Japan	Mr. Nishiumi
	Lebanon	Mr. Karanouh
	Mexico	Ms. Montemayor de Teresa
	Nigeria	Ms. Nwokonko
	Russian Federation	Mr. Chernenko
	Turkey	Mr. Sevi
	Uganda	Mrs. Kafeero
	United States of America	Mr. Donegan

Agenda

Protection of civilians in armed conflict

Report of the Secretary-General on the protection of civilians in armed conflict (S/2010/579)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-506.

10-64740 (E)

Please recycle

The meeting resumed at 3.05 p.m.

The President: I wish to remind all speakers to limit their statements to no more than four minutes in order to enable the Council to carry out its work expeditiously.

I now give the floor to the representative of Liechtenstein.

Mr. Sparber (Liechtenstein): Since the Security Council first took up the issue of protection of civilians, the changing nature of armed conflict has continued to have a profound impact on the situation of civilians in armed conflict. The Council took an important step forward through the adoption of resolution 1894 (2009), with its focus on humanitarian access and protection mandates as well as monitoring and reporting. We also welcome the establishment of the Security Council informal Expert Group on the Protection of Civilians, as well as the growing emphasis on benchmarks and clearer protection language in country-specific decisions of the Council. It is clear that the Council has paid greater attention to this topic in the recent past.

To track progress in implementation, the development of indicators for systematic monitoring and reporting on the protection of civilians in armed conflict by the Emergency Relief Coordinator would be helpful. When included in protection benchmarks, such indicators could help us to assess the effectiveness of peacekeeping missions and identify remaining gaps and challenges.

In spite of the Council's stronger engagement, the latest report of the Secretary-General (S/2010/579) reveals the continued gap between the normative advances and realities on the ground. To better protect civilians and ease their plight, we must urgently enhance compliance with international law by State and non-State actors, continue to empower United Nations peacekeeping operations to better implement their protection mandates, improve humanitarian access, and enhance accountability for violations of international humanitarian law.

Among the core principles of international humanitarian law are the distinction between combatants and non-combatants, proportionality of the use of force, and the imperative to take all feasible measures to minimize civilian casualties. Violations of these rules, such as the use of weapons of indiscriminate effect in densely populated areas and the denial of humanitarian access, warrant a clear response from the Security Council. The Council must call for compliance with international humanitarian law by all parties to a conflict and ensure accountability in cases where massive and systematic violations have occurred. Where violations of international humanitarian law routinely go unpunished, a climate of impunity will prevail and lead to further violations.

We agree with the Secretary-General that accountability mechanisms should first and foremost be established at the national level. This is in line with the principle of complementarity enshrined in the Rome Statute of the International Criminal Court, which reaffirms the primary responsibility of States to prosecute and punish the most serious crimes under international law. International accountability efforts are required only when national systems are unable or unwilling to fulfil their obligations. The Security Council could establish commissions of inquiry or similar accountability mechanisms, and of course also make use of its competence to refer situations to the International Criminal Court.

The effective delivery of humanitarian assistance is intrinsically linked to timely access to populations in need, as well as to the safety and security of those who provide assistance.

The safety of humanitarian workers remains precarious. The Council has a particular obligation to provide for the security of United Nations staff and to ensure that there is no impunity for attacks on humanitarian and peacekeeping personnel, which may constitute war crimes under the Rome Statute. We welcome in this regard the entry into force of the Optional Protocol to the Convention on the Safety of United Nations and Associated Personnel, which expands the legal protection of the 1994 Convention.

Significant concerns often exist in relation to the protection of civilians in situations that are not formally on the agenda of the Council. It is therefore essential for the Council to develop innovative ways to address protection concerns in such situations and to enhance its preventive and early warning capacities. The informal Expert Group on the Protection of Civilians could play a central role in that regard by receiving briefings and assessments on emerging violations of international humanitarian law by non-State and State actors.

The President: I give the floor to the representative of the Republic of Korea.

Mr. Kim Bonghyun (Republic of Korea): Let me begin by joining previous speakers in thanking you, Sir, for organizing today's open debate on the protection of civilians in armed conflict. My delegation also thanks the Secretary-General for his report on this issue (S/2010/579). I believe that today's debate offers a valuable opportunity to take stock of what we have achieved on key issues related to civilian protection, such as the implementation of resolution 1894 (2009), as well as to indicate areas where further work is needed.

Recently, United Nations peacekeeping operations are taking on more responsibilities in the protection of civilians. While recognizing that the primary responsibility for civilian protection rests with the nations and parties involved in conflicts, situations of armed conflict often make it extremely difficult for nations and parties in conflict to provide adequate protection measures to civilians. Furthermore, we have seen many occasions on which armed groups have resorted to violence against innocent civilians, particularly women and children, as a means of combat.

In this connection, it is essential for peacekeepers to have more responsibility for supporting and providing security to civilians at risk through tangible protection strategies. In addition, the Security Council needs to establish clear, credible, and achievable mandates to ensure the successful and effective protection of civilians prior to deployment. Additionally, as the Secretary-General has stressed, increased political support must be employed to ensure that mandates of the Department of Peacekeeping Operations (DPKO) are implemented.

Ensuring compliance with international humanitarian and human rights law is essential to civilian protection in armed conflicts. The international community should stand firm against impunity for violations of humanitarian and human rights laws whenever they arise. Compliance should also be applied to non-State armed groups, since more and more conflicts involve such groups. As such, the Security Council and other relevant international bodies need to devise measures to ensure full compliance regardless of the status of the parties to conflict.

Access to civilians affected by armed conflict in order to provide humanitarian aid and basic safety and security also needs to be guaranteed. Unfortunately, we have seen many cases in which humanitarian personnel and supplies have failed to reach those in urgent need due to the interference of certain parties concerned in armed conflicts. Such acts should be condemned, and those involved in such acts should be held accountable. My delegation hopes that the Security Council, on the basis of the relevant paragraphs of resolution 1894 (2009), adopted last year, can deliberate further on this issue.

Women and girls deserve special attention. As recent tragic incidents in the Democratic Republic of the Congo show, there are still many cases in which armed groups, operating in massive and widely dispersed areas, employ horrific sexual and other violence against women and girls. My delegation looks forward to all states further enhancing their efforts to implement resolution 1325 (2000) with respect to ending impunity and upholding accountability for serious crimes against women and girls in armed conflict and post-conflict situations. Also we hope for increased coordination among the Special Representative of the Secretary-General on Sexual Violence in Conflict, the DPKO and other concerned organizations to better confront these atrocious crimes.

The protection of civilians is an ongoing task that must be consistently strived for during any armed conflict. The safety and security of civilians in post-conflict situations must also be ensured, as these areas are at risk of deteriorating and falling into a spiral of recurrent violence. In this regard, due consideration must also be given to civilian protection in the peacebuilding process, and we would like to encourage the Security Council to incorporate this element in future discussion on this issue.

The President: I give the floor to the representative of Chile.

Mr. Errázuriz (Chile) (*spoke in Spanish*): Chile thanks the United Kingdom, in its capacity as President of the Security Council for November, for having convened this debate on such an important subject as the protection of civilians in armed conflict. We also thank the Secretary-General for his report (S/2010/579) and welcome the briefings we have heard from representatives of the United Nations and the International Committee of the Red Cross on this issue.

Chile associates itself with the statement to be made by the representative of Costa Rica on behalf of the Human Security Network.

More than a decade has passed since the first peacekeeping operation was deployed in Sierra Leone with an explicit mandate to protect civilians. Through these years, we have accumulated important experience and, at the same time, established a broad legal framework through the Council's thematic resolutions on the protection of civilians and other historic resolutions. We have also made significant progress in peacekeeping operations, virtually all of which are now involved in activities related to the protection of civilians and eight of which have specific physical protection mandates.

In that context, peacekeeping operations have become multidimensional and have distinct components linked to the protection of civilians, such as the monitoring of human rights, humanitarian assistance, capacity-building, the restoration of infrastructure and services, and security sector reform, among others. Chile believes that a comprehensive approach is the most effective way to address and respond to threats to the human security of civilian populations in armed conflict.

However, despite the greater attention that has been paid by the Council and the aforementioned progress, the prevalence of civilian casualties and the number of people affected by armed conflict continue to be overwhelming. This is noted by the Secretary-General in his eighth report. We also continue to see the challenges that he noted in his report of 29 May 2009, in which he stressed the importance of

> "enhancing compliance by parties to conflict with international law...; enhancing compliance with the law by non-State armed groups; enhancing protection through more effective and better resourced peacekeeping and other relevant missions; enhancing humanitarian access; and enhancing accountability for violations of the law" (*S/2009/277, para. 5*).

Chile condemns the recurring attacks on camps for refugees and internally displaced persons and on humanitarian personnel. We also reject the use of sexual violence and forced displacement as tactics of war, the widespread recruitment of children, the proliferation in the illicit traffic and undue use of small arms and light weapons, and the danger represented by anti-personnel landmines and unexploded ordinance left over from warfare. We also deplore the use of civilians as human shields.

Chile welcomes both the normative measures that have been adopted and practices on the ground itself aimed at preventing and attenuating the effects of violence against civilians in armed conflict, as pointed out by the Secretary-General in his report.

Chile also commends the establishment in the Security Council of the informal Expert Group on the Protection of Civilians. We appreciate its excellent work. We believe this to be an example to be duplicated in other instances, such as in the area of peacebuilding.

We also acknowledge the importance of including civilian protection as a component of the mandates of peacekeeping operations, including clear guidelines and intervention standards to effectively implement that aspect of the mission. That must be done without prejudice to the primary responsibility of host Governments to protect their own civilians.

Increasing interaction between host countries, the Security Council, troop-contributing countries and the Secretariat could also help to narrow the gap between the decision-making process and real implementation on the ground. We were pleased to note the independent study by the Office for the Coordination of Humanitarian Affairs and the Department of Peacekeeping Operations with regard to the implementation civilian protection mandates in peacekeeping operations.

Respecting and implementing international humanitarian law are inextricably linked to combating impunity. Eradicating impunity should be seen as part of a comprehensive focus on seeking sustainable peace, justice, truth and national reconciliation. Concerted efforts are required in cooperating with national judicial mechanisms in order to develop their capacities and ensure that perpetrators are brought to justice and tried in accordance with international standards.

Restoring the rule of law, security sector reform and transitional justice mechanisms are key areas in which national systems should be strengthened and supported through effective international cooperation. The International Criminal Court and other "mixed" tribunals and courts have an important complementary

function in trying persons suspected of having committed international crimes. It is of the utmost importance that national and international criminal justice institutions have all the necessary support on the ground. Chile supports all measures aimed at combating impunity, both at the national and international levels.

Civilians affected by violence in armed conflicts have a right to reparations and compensation. In that regard, we should not ignore the value of symbolic reparations as a way to heal society's wounds in post-conflict countries.

I should like to conclude by once again emphasizing that States have the primary responsibility to protect civilians.

The President: I again wish to remind representatives to please keep their statements to four minutes.

I now give the floor to the representative of Norway.

Mr. Langeland (Norway): It is deplorable that so many civilians suffer the consequences of armed conflicts. Far too often, women, men, girls and boys are directly targeted, killed, maimed or injured. We still witness too wide an interpretation of what constitutes legitimate military targets. The extensive use of explosive weapons in densely populated areas and imprecise targeting in connection with the use of remote-controlled technologies, such as drones, constitute grave risks to civilians.

However, over the past year we have seen encouraging progress in efforts to enhance protection measures in armed conflicts, such as the entry into force of the Convention on Cluster Munitions and the recent amendments to the Statute of the International Criminal Court that extend individual responsibility for the use of certain weapons and ammunition in non-international conflicts. Those are concrete steps in the right direction.

I would now like to focus on three core challenges in the Secretary-General's report (S/2010/579). The first is compliance with international humanitarian law. We believe that full compliance with existing international humanitarian law is essential for safeguarding civilians in armed conflicts. Our focus must be on where the consequences of armed conflict are felt, that is, on the ground. To that end, States as well as militaries, the International Committee of the Red Cross, non-governmental organizations and non-State armed groups must engage in renewed efforts to reclaim the protection of civilians. Norway supports the Secretary-General's recommendations with regard to the use of explosive weapons in densely populated areas, including the need for further analysis and research.

Secondly, with regard to protection by United Nations peacekeeping operations, Norway welcomes the publication of *Addressing Conflict-Related Sexual Violence — An Analytical Inventory of Peacekeeping Practice*. We also attach great importance to the ongoing work to develop training modules and scenario-based exercises to strengthen missions' protection capacity. Norway fully supports the Secretary-General's recommendation that specific benchmarks should be developed for measuring progress in the implementation of missions' mandates to protect civilians. This is not least important in exit strategies for peacekeeping operations.

Thirdly, with regard to enhancing accountability, the perpetrators of violations of international humanitarian law must be brought to justice. Norway firmly believes that we need to enhance the effectiveness of accountability mechanisms. We welcome the commitment of the Security Council to establish a stronger protection framework for children in armed conflict, most recently through resolution 1882 (2009).

Let me conclude by encouraging the Security Council to invite all relevant actors to take part in a debate on how to enhance the effectiveness of accountability mechanisms, including the use of commissions of inquiry and fact-finding missions.

The President: I now give the floor to the representative of Argentina.

Mr. Limeres (Argentina) (*spoke in Spanish*): First of all, allow me to congratulate you, Mr. President, on your assumption of the presidency of the Security Council this month. I would also like to commend you for convening this open debate on the subject before us.

The protection of civilians in armed conflicts continues to be a subject to which the international community and my country in particular attach the utmost importance. Unfortunately, the Security Council has to continue to consider this issue owing to the fact that today civilians still suffer greatly from the

consequences of armed conflict. The Security Council must therefore remain committed to the protection of civilians in armed conflicts, to promoting full respect for humanitarian law, human rights law and human rights in general, and to combating impunity.

Argentina would like once again to underscore the value and significance of the 1949 Geneva Conventions, which represented a remarkable step forward for the international community against the backdrop of the dehumanizing experiences it had suffered. Six decades later, conflicts continue to take place. Regrettably, there are still many situations where civilians are the targets of attacks and there are unacceptably high numbers of civilian deaths; where children are recruited as soldiers and girls are subject to abuse, rape and all other types of sexual abuse; where thousands and even millions of people are displaced; and where access to humanitarian assistance is impossible or seriously curtailed. Many of those situations are made worse by impunity.

Parties to an armed conflict are subject to the basic obligation of international humanitarian law to protect civilians from the effects of armed conflict. Such an obligation, embodied in common article 3 to the four Geneva Conventions of 1949, also applies in the context of armed conflicts of a non-international nature, that is to say, to non-States parties to conflict.

The Security Council is directly responsible for matters of peacekeeping operations and the protection of civilians. As I have pointed out on other occasions, my country is convinced of the need to include in the mandates of United Nations missions protection activities that are clearly developed and receive the necessary resources in an effective and timely manner. In this regard, interaction with components on the ground is essential to ensuring that mandates will be clear and appropriate to the circumstances faced by the peacekeeping operation.

Regarding the integration of the components, it is important to bear in mind the need, where relevant, to ensure the necessary structure for the protection of women, especially from sexual violence. At the same time, it is also worth bearing in mind the need to protect children, particularly from being recruited as child soldiers, and to rehabilitate former child soldiers. Another critical aspect of the protection of civilians is the need to ensure access to humanitarian assistance. If the parties to a conflict fail to fulfil their obligations under international humanitarian law, they must at least do all they can to ensure access to shipments and material, as well as first aid support. Furthermore, people fleeing combat areas must be allowed to transit safely to areas where they will be safe from hostilities.

Action by the Organization is essential to prevent the emergence of situations of genocide, war crimes, ethnic cleansing and crimes against humanity, and to end them when such situations emerge. Those four crimes, included in the concept of the responsibility to protect, demand not only action, but also prevention. The commitment of the Organization is needed to prevent the recurrence of the horrors of the past. It is often possible to detect in a society elements that set off alarms regarding the possible emergence of situations of massive and serious violations of human rights and humanitarian law. Therefore, prevention requires that the Organization be provided with appropriate mechanisms to gather information on present and potential situations that may trigger the responsibility to protect.

Fact-finding is an important element. Argentina considers it worth reiterating that there exists an impartial body for fact-finding into possible serious violations of the Geneva Conventions: the International Humanitarian Fact-Finding Commission, established by virtue of Protocol I to the Geneva Conventions of 1949. We welcome the Security Council's recognition in its resolution 1894 (2009) of the possibility of recourse to the Commission for timely, objective, accurate and reliable information.

Being a victim of an armed conflict is a condition that usually extends beyond the end of hostilities. In the case of women and children in particular, they continue to be victimized after returning to their communities by being stigmatized and subject to retaliation. In this context, it is necessary to underscore the role of justice. Perpetrators of war crimes, genocide or crimes against humanity are responsible for serious crimes and must therefore be held accountable before justice.

This Council established two international tribunals: the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda. Currently, we are transitioning towards an international justice system for the most serious crimes, including war crimes, based on a permanent tribunal more than on ad hoc tribunals. That permanent

tribunal, which is fully functioning, is the International Criminal Court, established by the Rome Statute in 1998.

I would like to end my statement by stressing once again that, in accordance with international humanitarian law and resolutions of this Council, any kind of attack against civilians or other protected persons in situations of armed conflict, including the obstruction of access to humanitarian assistance and the recruitment of children, is a violation of international law. Thus, I would like to conclude by urging once again strict compliance with the obligations arising from The Hague Conventions of 1899 and 1907, the four Geneva Conventions of 1949 and their Additional Protocols of 1977, general international law and the decisions of the Security Council.

The President: I now give the floor to the representative of Costa Rica.

Mr. Ulibarri (Costa Rica): It is an honour for Costa Rica to speak in its capacity as Chair of the Human Security Network and on behalf of its members: Austria, Canada, Chile, Costa Rica, Greece, Ireland, Jordan, Mali, Norway, Switzerland, Thailand and Slovenia, and South Africa as an observer.

The protection of civilians in armed conflicts is one of the priorities of the Human Security Network. Therefore, we would like to thank the United Kingdom presidency of the Security Council for the organization of this important debate, as well as the Secretary-General for his report (S/2010/579).

In just over 10 years since the first peacekeeping operation with an explicit mandate for the protection of civilians in armed conflict was deployed in Sierra Leone, we have accumulated valuable experience and made important progress with a view to establishing a comprehensive framework in the Security Council through thematic resolutions on the protection of civilians, as well as other milestone resolutions, including 1325 (2000), 1612 (2005), 1820 (2008), 1882 (2009), 1888 (2009), 1889 (2009) and 1894 (2009). We have entered a new era of multidimensional peacekeeping operations with large civilian components, including the promotion and protection of human rights, the facilitation of humanitarian relief, capacity-building, the restoration of infrastructure and services, and security sector reform.

However, despite the increased attention of this Council, the prevalence of civilian casualties and the number of people affected by armed conflict are still appalling. We are deeply concerned about attacks against refugees and internally displaced persons camps, as well as against humanitarian workers; the use of sexual violence and forced displacement as tactics of war; the prevalence of child recruitment; the proliferation of illegal trafficking and the misuse of small arms and light weapons; and the danger posed by explosive weapons, landmines and other remnants of war. We also deplore the continued targeting of civilians in situations of armed conflict, the indiscriminate use of force and the use of civilian populations as human shields in those situations.

Another challenge is the role increasingly played by private security companies in situations of armed conflict. In this context, the Human Security Network takes note of the recent signature of an international code of conduct by around 60 private security companies, according to which they undertake to respect human rights and humanitarian law in their operations.

The Security Council, as the principal organ for addressing threats to international peace and security, should respond to prevent violations of international law and to protect civilian populations in all situations of armed conflict without distinction. This also includes assisting in creating the conditions conducive to the rapid and unimpeded delivery of humanitarian assistance while ensuring the safety and security of humanitarian personnel.

We also recognize the importance of including the protection of civilians as a component of peacekeeping mandates, as well as clear guidelines and rules of engagement, without prejudice to the primary responsibility of the host Government to protect its civilians. In addition, it is also necessary to address other major constraints faced by peacekeeping operations, such as resources, equipment, the timely disbursement of funding, predeployment and in-mission training.

We welcome the Secretariat's efforts in establishing clear guidance and developing an operational concept for peacekeeping missions on the protection of civilians in armed conflict. Furthermore, a stronger partnership on protection with troop- and

police-contributing countries, host Governments and local populations should be developed.

Fostering international humanitarian law and practices is inextricably linked with the fight against impunity. Ending impunity for violations of international law and human rights law should be seen as part of a comprehensive approach to seeking sustainable peace, justice, truth and national reconciliation. The restoration and promotion of the rule of law, security sector reform and transitional justice mechanisms are also key areas where national systems should be strengthened and supported by enhanced international cooperation. The International Criminal Court, as well as other mixed courts and tribunals, can play an important complementary role in prosecuting persons suspected of committing mass atrocities.

Lastly, the Human Security Network notes with appreciation the important work of the informal Expert Group on the Protection of Civilians, which was established in January 2009.

The President: I call on the representative of Portugal.

Mr. Moraes Cabral (Portugal): I wish to thank you, Mr. President, for convening this debate on an issue to which Portugal attaches the utmost importance. I also wish to thank the Secretary-General for his report (S/2010/579), as well as Ms. Valerie Amos, Mr. Alain Le Roy, Ms. Navanethem Pillay and Mr. Yves Daccord for their very useful briefings.

We meet here today one year after the adoption of resolution 1894 (2009), which is rightly considered to be a benchmark of the United Nations normative system and the best reflection of the Security Council's long commitment to the issue of civilian protection in armed conflict. That resolution is also an essential development because it underlines the importance of addressing the protection of civilians in peacekeeping operation mandates in a proper way. The United Nations is now endowed with the necessary tools with which to act in an effective and accountable manner in protecting civilians in situations of armed conflict wherever they are called on to take action throughout the world.

The main responsibility to protect civilians lies obviously with States, but it is also clear that, in some cases, States need international support to carry out that responsibility. United Nations peacekeeping operations and United Nations missions, as well as United Nations agencies in general, are crucial to strengthening and helping national capacities to exercise that fundamental responsibility.

We are aware that the very nature of armed conflicts has changed. Armed groups roam unchallenged within the borders of often vast countries, sowing violence and death, and avail themselves of the porosity of borders to further their criminal intentions. This new reality adds significantly to the complexity of the tasks of peacekeepers and strains their capacity to enforce compliance with international humanitarian law and uphold respect for fundamental human rights.

Despite all the difficulties, the protection of civilians — whether directly targeted or accidental victims of conflict — must be of paramount concern, and we strongly support the Secretary-General's recommendation for its enhancement. Civilians continue to account for the majority of conflict-related casualties and are constantly exposed and fall victim to serious violations of human rights and humanitarian law. It goes without saying that we acknowledge the huge scale and complexity of the task facing peacekeepers and United Nations agencies and missions. Nevertheless, we must strive to increase their effectiveness in protecting civilians in conflict situations.

Allow me to mention, in this context, what we believe to be three important issues: impunity and the lack of accountability, the need to strengthen United Nations peacekeeping operations and missions, and, finally, the need for an increasingly integrated approach to peacekeeping.

Portugal believes that the lack of accountability and the impunity that benefit many parties to armed conflict throughout the world are extremely disturbing. This situation obviously encourages perpetrators even as it discourages victims from denouncing violations and seeking redress. Furthermore, it renders the tasks of peacekeepers even more difficult in protecting civilians in situations of conflict. We believe that the United Nations and the Security Council must show their strong resolve as far as impunity is concerned, addressing ways and means by which its action can be more effective in bringing to justice those guilty of deliberately targeting civilians and violating their fundamental rights.

The report of the Secretary General points to some improvements that have been made in this regard through the actions of international institutions, such as the International Criminal Court (ICC), and by national institutions. Concerning the ICC and its specific role in addressing the most serious crimes, we encourage every effort to strengthen the Court and to reinforce its credibility through enhanced cooperation among parties and the promotion of the universal ratification of the Rome Statute, especially now that the Kampala Review Conference successfully contributed to a larger international consensus around it through the agreement on the crime of aggression.

Nevertheless, as the Secretary-General underlines, much more must still be done in this area. That will require, of course, a much more effective translation of rules and principles into applied actions on the ground by those rightfully entrusted to do so. It is clear that the normative framework we currently have is adequate; what seems often to be lacking is the political will to implement it effectively.

My second point concerns the need to strengthen United Nations peacekeeping operations and missions. This requires clear, specific, situation- or country-oriented mandates, as well as training and resources, so as to successfully fulfil our responsibilities to those who suffer the most. Allow me to stress training. If they are to carry out their tasks in an efficient way, peacekeepers should be well acquainted with the origins and reasons underlying a conflict as well as the social, economic, ethnic and cultural patterns of the country in which they serve. Recent experiences show the importance and usefulness of engaging with local communities and benefiting from their wealth of knowledge of specific situations and conditions, as well as the extent to which such engagement can reinforce the sense of ownership by the people. One must also bear in mind, however, that those communities might be singled out as objects of reprisal by warring factions, and act accordingly.

Finally, the growing complexity and diversity of mission-mandated tasks demand an integrated approach to United Nations peacekeeping. There is a growing understanding of the concept of the protection of civilians in armed conflicts, and in this sense the guidance given to United Nations missions on how to effectively protect civilians is particularly important. We commend the work that has been conducted within the United Nations towards achieving a shared understanding of this concept and developing a strategic framework for mission-wide strategies on the protection of civilians. Training modules and the identification of resources and capacities required to perform the tasks are also of the utmost importance, as are scenario-based exercises for senior mission leadership, as described in the progress report on the New Horizon initiative. However, if missions are to perform efficiently, adequate capacities have to be deployed on the ground, with clearly defined and achievable tasks and objectives, so as to avoid capability gaps that would hamper missions.

To conclude, let me assure the Council that Portugal will stay fully committed and actively engaged in all efforts pertaining to strengthening the protection of civilians in armed conflicts. We look forward to working closely with members of the Council on this endeavour from the outset of our tenure next January.

The President: I now give the floor to Mr. Peter Schwaiger, Deputy Head of the delegation of the European Union to the United Nations.

Mr. Schwaiger: Let me first thank Under-Secretary-General Amos for her first presentation to the Security Council. I would also like to thank Under-Secretary-General Le Roy, the High Commissioner for Human Rights, Ms. Navanethem Pillay, and Yves Daccord, Director-General of the International Committee of the Red Cross, for their participation in the debate today.

The candidate countries Turkey, Croatia and the former Yugoslav Republic of Macedonia; the countries of the Stabilization and Association Process and potential candidates Albania, Bosnia and Herzegovina, Montenegro and Serbia; as well as Ukraine, the Republic of Moldova, Armenia, Azerbaijan and Georgia align themselves with this statement. In the interest of time, I will deliver an abridged version of our statement.

Like other speakers today, we are alarmed that civilians continue to account for the majority of casualties in conflict and by the historically high numbers of displaced persons. As a key humanitarian donor worldwide, the European Union (EU) is deeply concerned by the frequency and gravity of attacks against humanitarian personnel, as well as by problems of safe and timely humanitarian access, particularly for vulnerable groups.

We share the concern about the humanitarian impact of explosive weapons, particularly when used in densely populated areas, and we note the growing recognition of the indiscriminate harm they can cause. The suffering of hundreds of thousands of civilians in the midst of conflict requires our rigorous attention, strengthened resolve and decisive action.

The European Union commends the work conducted within the United Nations on the protection of civilians and the increased attention paid by the Security Council to those issues. Resolution 1894 (2009) of last November has been rightly hailed as a landmark development. We also wish to recall important resolutions related to women and peace and security and to children in armed conflict, and the appointment of the Special Representative of the Secretary-General on Sexual Violence in Conflict.

The European Union fully supports the Secretary-General's call to address protection-of-civilians situations in a comprehensive way, to undertake further action to address the five core challenges, and to improve the coherence and mainstreaming of protection. We support the systematic use of practical tools, such as the aide-memoire of 2002, which has now been updated. We commend the work of the informal Expert Group on the Protection of Civilians.

Like many speakers today, we believe that the systematic monitoring of and reporting on the protection of civilians in armed conflict is highly important and that indicators could play a very useful role in that regard. We also support the use of clear benchmarks for peacekeeping missions, in particular when it comes to their drawdown.

The European Union is grateful for the strong call to improve accountability for violations of international humanitarian law and human rights law in situations of armed conflict, including for the deliberate targeting of civilians and their use as human shields, indiscriminate or disproportionate attacks, and delays or denials of humanitarian access. Together with targeted measures, accountability would help to improve compliance.

We encourage the Council to further explore the Secretary-General's recommendations, including referrals to the International Criminal Court, support to national-level investigation and prosecution, and increased use of commissions of inquiry or fact-finding missions. We believe that such measures would also help to contribute to prevention, which has recently also been debated in the context of the responsibility to protect.

Moreover, we welcome the initiative of the current Security Council presidency to invite Under-Secretary-General Pascoe for a horizon-scanning briefing at the beginning of the month. We encourage incoming presidencies to do likewise.

Obviously, United Nations peacekeeping and other operations have a significant impact on enhancing protection on the ground. In view of that, the comprehensive contribution on the protection of civilians by the Special Committee on Peacekeeping Operations in its 2010 session was a significant achievement. We welcome the development of designated protection-of-civilians strategies by certain United Nations peacekeeping missions and encourage the engagement by senior mission leadership with protection issues. We look forward to a more consistent and systemic consideration of such issues in reports of the Secretary-General as guidelines are under development.

We also welcome the fact that the Department of Peacekeeping Operations (DPKO) carries work forward on a strategic framework for mission-wide protection and training modules, as well as for an assessment of resources and capabilities, which will help to improve the situation of civilians in armed conflict and to develop a culture of protection.

Lastly, I would like to mention that the European Union has reviewed its own guidelines in this area. On 25 October, EU Foreign Ministers adopted revised guidelines on the protection of civilians in EU Common Security and Defence Policy missions and operations. They were developed in consultation with the United Nations, notably, the Office for the Coordination of Humanitarian Affairs and DPKO, as well as the International Committee of the Red Cross. The document provides practical guidance for planning, conduct and subsequent lessons-learned processes of our missions. In the future as well the European Union will cooperate closely with the United Nations and other relevant organizations.

The President: I will now give the floor to the representative of Germany.

Mr. Wittig (Germany): Germany fully aligns itself with the statement just made by the European Union.

Let me thank Under-Secretary-General Valerie Amos for her statement on behalf of the Office for the Coordination of Humanitarian Affairs today. I also thank Ms. Pillay, Mr. Le Roy and Director General Daccord for their contributions. The voices of the High Commissioner for Human Rights, the Under-Secretary-General for Peacekeeping Operations and the Director General of the International Committee of the Red Cross are particularly relevant in this debate.

Civilians continue to bear the brunt of violence and abuse in armed conflicts. Women and children are particularly vulnerable and often are directly targeted. The mass rapes in Walikale in the eastern Democratic Republic of the Congo in July of this year — only days after the last open debate on the protection of civilians in the Security Council — serve as a stark reminder that we must do more to ensure the safety and physical integrity of civilian populations and to enhance full respect by all parties to conflict for applicable international law.

Over the last years, the Security Council has developed a comprehensive normative framework on protection issues. The Council has repeatedly made it clear that the protection of civilians must be a priority for peacekeeping operations. There is, however, an implementation gap, which the Council and United Nations missions must address in order to make a tangible difference for the civilian population in zones of conflict.

Protecting civilians from the direct threat of physical violence in zones of conflict is not an easy task, as we all know. Resource constraints, difficult terrain and a sometimes tenuous consent of the host country, but also a lack of conceptual clarity and insufficient training and preparedness are challenges to the effective protection of civilians by United Nations missions.

The United Nations peacekeeping reform process has acknowledged many of the shortcomings and has taken first steps to address them. In that regard, we welcome the progress made so far in developing an operational concept for the protection of civilians in United Nations peacekeeping operations, as requested by Security Council resolution 1894 (2009) of last November.

Military as well as civilian components of the United Nations missions in the field must have clear guidelines on their respective roles in the protection of civilians from physical violence and must work together in achieving that. It is also imperative that United Nations missions interact more with the vulnerable communities that they are tasked to protect, in order to better understand their specific protection needs.

We welcome the most recent report of the Secretary-General on the protection of civilians (S/2010/579) and the conclusions and proposed practical steps contained therein. We agree on the need to develop quality benchmarks for the implementation of protection mandates by peacekeeping missions and on the need to assess and implement best practice.

We welcome the development of training modules on protection issues for all peacekeeping personnel and, in particular, the Department of Peacekeeping Operations (DPKO) cooperation with United Nations Action against Sexual Violence in Conflict to develop relevant training materials. Germany is pleased to be associated with DPKO's important work on developing a specific United Nations police standardized training curriculum on investigating and preventing sexual and gender-based violence.

We also recognize the important role the Council's informal Expert Group on the Protection of Civilians can play in incorporating protection issues in the Council's work, especially prior to the renewal of peacekeeping mandates. In that regard, we particularly welcome the updated aide-memoire endorsed today. Germany looks forward to participating actively in the work of the informal Expert Group during its tenure on the Security Council.

The Security Council has also done important work to enhance the protection agenda on specific thematic issues like children and women in armed conflict. Let me in that context briefly highlight the action plans pursuant to Security Council resolution 1612 (2005), in which the Special Representative of the Secretary-General for Children and Armed Conflict is engaging non-State parties to conflict. In our view, this is yet another practical way to enhance compliance by those groups with applicable international law. Here, as in other United Nations activities in conflict zones, United Nations access to non-State parties to conflict is key, and we would encourage Member States to grant such access.

To conclude, let me briefly touch upon the need to fight impunity. This past summer, the Security Council adopted a presidential statement on children and armed conflict (S/PRST/2010/10), which called for increased exchange of information on persistent perpetrators between the Security Council Working Group on Children and Armed Conflict and relevant sanctions committees of the Security Council. We believe that such a regular exchange of information could be a step towards ensuring compliance with applicable international law and ensuring accountability for violations thereof.

The President: I now give the floor to the representative of Sri Lanka.

Mr. Kohona (Sri Lanka): At the outset, I wish to join previous speakers in thanking you, Sir, for having convened this timely debate on a matter that increasingly demands the focused attention of the international community. I should also like to thank the Secretary-General, the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, the High Commissioner for Human Rights and the Director General of the International Committee of the Red Cross for their helpful briefings.

We welcome the emphasis put by the Secretary-General on the need to achieve a more tangible improvement in the protection of civilians most affected by conflicts. In that context, we would like to propose that, where satisfactory and successful experience exist with regard to the care and protection of civilians, including in post-conflict situations, best practices from such national cases should be compiled as an annex to the Secretary-General's future report on the topic.

While encouraging non-State actors to adhere to the principles of international humanitarian law in order to better ensure the protection of civilians is a laudable objective, this may prove to be a double-edged sword, as it could also confer unintended legitimacy on violent perpetrators of terrorism and terrorist groups. That might pose a political dilemma for legitimate Governments fighting terrorist groups and seeking to protect their sovereignty, territorial integrity and, in many cases, their cherished democratic way of life, and might thereby add a further confusing element to ongoing conflicts.

Despite the brutal onslaught unleashed by a terrorist group that laboured for over 27 years to undermine our Government economically and its ability to function effectively as a State, my country, Sri Lanka, has taken determined measures to establish a credible national human rights framework through a range of domestic legislative and administrative measures that are fiercely enforced by the courts. The legislation gives expression to seven core human rights treaties and other related international instruments, including the four Geneva Conventions, to which Sri Lanka is a party.

Sri Lanka respects and firmly identifies with the principles underlined in the thematic resolutions adopted by the Security Council since 1999. It will continue to strengthen its human rights framework as the security situation further improves. Sri Lanka's commitment is illustrated by the manner in which broad civilian protection issues were addressed during the conflict and the speed and efficacy with which it is now confronting the challenges of resettling internally displaced persons (IDPs), rehabilitating former Liberation Tigers of Tamil Eelam combatants and child soldiers, post-conflict reconstruction and development, and accountability and reconciliation issues. Even cynics will have to acknowledge the professional commitment with which the Government has approached those issues.

Sri Lanka's decision to engage the Liberation Tiger terrorists militarily in 2006 followed their arrogant refusal to return to peace negotiations and their persistent resort to unbridled terrorism. The massive toll on civilian lives, public assets, religious and world heritage sites, vital economic assets and the immense suffering of civilians could no longer be tolerated by a responsible and democratically elected Government.

As has been repeatedly emphasized, our military engagement with the Liberation Tigers was clearly based on a well defined distinction between the terrorists and the Tamil civilians, and its goal was a humanitarian rescue operation to relieve approximately 300,000 civilians held as human shields and used as a bargaining chip by the terrorists. The terrorists were not averse to locating heavy weapons amidst those innocent civilians.

The Government policy of zero civilian casualties had a deep impact the country's professional armed services, which were trained in humanitarian standards by the International Committee of the Red Cross

(ICRC). The ICRC also assisted in evacuating over 7,000 injured and their care-givers to Government-run hospitals. These policies paid dividends as expected, as thousands of Tamil civilians fled to Government-controlled areas, once the terrorists lost their coercive hold on the civilian population, and all were fed, clothed, sheltered and otherwise cared for in camps prepared in advance to receive them.

Pivotal to civilian protection is the partnership based on trust that was established with United Nations agencies and other humanitarian actors on the ground. Trust is the first casualty of any subtle politicization or assumption of a judgmental approach by external entities, which invariably upsets the delicate balance between the parties in such situations. It is therefore imperative that humanitarian agencies and their workers carry out their work on the basis of the principles of neutrality and impartiality; that they conform to national laws; that their activities match the identified policy priorities of host Governments; and that they be cognizant of local political, cultural and social sensitivities. No one size fits all, and experience and expertise gained elsewhere may not fit a given situation on the ground. A tendency to grandstand or be paternalistic will invariably have negative consequences. Public perceptions matter enormously, particularly where public opinion influences political dynamics and where the public is literate and politically conscious. Public order and political stability are also critical. Therefore, neutrality, impartiality, sensitivity and trust assume a seminal importance in such contexts.

Today in Sri Lanka, 78 non-governmental organizations (NGOs), including local NGOs, and 11 United Nations agencies, are working in partnership with the Government on rehabilitation, resettlement and reconstruction programmes.

Sri Lanka takes the policy view that NGOs establishing parallel services to those of the Government that are not sustainable cannot have long term benefits for the welfare of the people. NGOs must have the capacity to deliver programmes and self-generated funding to work with the Government on prioritized policy areas and activities.

Post-conflict needs and requirements are even more complex and sensitive than the needs that were felt earlier. Sri Lanka does not fancy being converted into a laboratory for an NGO industry, a testing ground for post-conflict theories or prime learning ground for those seeking internships.

Sri Lankan society — which has experienced two violent youth insurgencies and a 27-year terrorist onslaught during the critical part of its development trajectory — is one that is now gradually coming into its own. Sri Lanka as a State party to seven core human rights treaties and other related international instruments in the area of international humanitarian law, including the four Geneva Conventions, is deeply committed to the principles underpinning those instruments. The multidimensional revitalization programme being implemented in the country is now laying the foundations for fostering justice, security and opportunity for all. The culture of respect for human rights and humanitarian standards will be revitalized in this progression, ensuring the further consolidation of the protection principle in our law and society.

The President: I now give the floor to the representative of Georgia.

Mr. Tsiskarashvili (Georgia): Let me join previous speakers in thanking you, Mr. President, for organizing today's open debate on the protection of civilians in armed conflict and for giving us this opportunity to address the Security Council.

Georgia fully aligns itself with the statement of the European Union.

More than a decade has passed since the Council began deliberating this important subject. Throughout the past 11 years, the Council has adopted six resolutions and eight presidential statements on the protection of civilians, but unfortunately these measures are not sufficient. Civilians continue to be severely impacted by armed conflicts around the world. The deliberations of the Security Council clearly indicate the need to further strengthen the protection of civilians through compliance with the norms of international humanitarian and human rights law. Every situation where civilians suffer from violence caused by armed conflict requires more attention from the international community.

I would like to take this opportunity to inform the Security Council that Georgia recently became a party to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. By doing so, Georgia reaffirmed its

strong commitment to consolidated international efforts aimed at protecting the rights of children affected by armed conflicts worldwide.

Every time the opportunity arises to discuss this important matter in open debate here in this Chamber, my delegation provides the Council with detailed information on the situation concerning civilians living under foreign occupation in two regions of my country, Abkhazia and the Tskhinvali region.

Since our last address, nothing has changed on the ground. Ethnicity-based and other gross and massive violations of human rights law and humanitarian law happen on a daily basis. The population continues to suffer from insecurity and discrimination; living under the threat of expulsion, forced conscription and passportization; losing their ethnic identity; and being denied their right to property and education in their mother tongue, not to mention the impact of conflict and violence, especially on the younger generation. Moreover, the authorities in effective control have taken measures to deprive these individuals of their right to free movement across the administrative borderline, which has turned into an occupation line. We believe that such violence must be seen as a fundamental violation of the right of every individual to life and development, and universally condemned.

Resolution 1894 (2009), adopted a year ago, reaffirmed the need to focus on the issue of humanitarian access. The very same message has been reiterated in the Secretary-General's most recent report on the protection of civilians in armed conflict (S/2010/579), in which the Secretary-General suggests that humanitarian access is the fundamental prerequisite for humanitarian action. A similar message has been delivered by Mr. Walter Kälin, Representative of the Secretary-General on the Human Rights of Internally Displaced Persons, in his reports on Georgia and its occupied regions.

I would like once again to draw the Council's attention to the problem of humanitarian access to the Tskhinvali region of Georgia, where the occupying Power continues to block humanitarian aid and international humanitarian actors and demands that the region be entered exclusively from its own territory. This policy represents yet another clear infringement of the principles of international humanitarian law, as well as of paragraph 3 of the European Union-brokered ceasefire agreement of 12 August 2008 and paragraph 4 of General Assembly resolution 64/296 on the status of internally displaced persons and refugees from Abkhazia, Georgia, and the Tskhinvali region, Georgia, of 7 September 2010. This resolution represents a powerful manifestation of the will of the international community to stand up for the rights of all who continue suffer the consequences of armed conflict.

Here, I would like to stress that Georgia continues to support the efforts of the United Nations and its agencies to alleviate the suffering of civilians on the ground. Let me assure the Council that my country stands ready to work with the international community in addressing current challenges and ensuring genuine progress in this field.

The President: I now give the floor to the representative of Peru.

Mr. Gutiérrez (Peru) (*spoke in Spanish*): I would like to thank you, Mr. President, for having promoted the convening of this open debate, and to express Peru's gratitude to Valerie Amos and Alain Le Roy, Under-Secretaries-General for Humanitarian Affairs and Peacekeeping Operations, respectively, for their briefings on the subject before us today. I also wish to highlight the statements made by the High Commissioner for Human Rights and the Director-General of the International Committee of the Red Cross. We thank the Secretary-General for his latest report on the protection of civilians (S/2010/579). However, it would have been very helpful to have the report far enough in advance to enable us to better evaluate it.

The issue of the protection of civilians in armed conflict has been addressed in this Chamber for over 10 years, and we have seen the subject evolve and develop in that time. In this respect, we believe that resolution 1894 (2009) and last year's presidential statement (S/PRST/2009/1) to be of great value.

These debates are a useful opportunity to carry out a critical reflection leading to a more analytical and profound assessment of the progress made to date. To that end, it is important that we be guided by the five core challenges identified by the Secretary-General in his 2009 report (S/2009/277), which clearly remain valid, as reflected in the latest report. They are enhancing compliance by parties to conflict with international law; enhancing compliance with the law by non-State armed groups; enhancing protection

through more effective and better resourced peacekeeping and other relevant missions; enhancing humanitarian access; and enhancing accountability for violations of the law. In the same vein, we must take as a basis the aide-memoire annexed to last year's presidential statement.

The latest report of the Secretary-General identifies various areas where progress has been made, but it also clearly notes that most of this progress is still taking place within a normative or legislative framework. Such progress contributes to the development the common of conceptual framework we all seek as the basis and guide for the protection of civilians tasks that peacekeeping operations must carry out.

However, we must remember that we have no time to lose in improving protection on the ground. We need to keep in mind both the multidimensional nature of peacekeeping operations and their various civilian, military and police components, as well as the essential political commitment that such missions require. Such commitment should be strengthened not only by the parties to a conflict, but also by Headquarters, and primarily the Security Council. The Council must shoulder its main responsibility, which is the maintenance of international peace and security, by establishing clear mandates that facilitate the preparation of operations in all their aspects and help missions to fully accomplish their tasks.

As we have reiterated on several occasions, the protection of civilians has become an essential element for achieving peace and for the credibility and legitimacy of the Organization. In that regard, the Security Council has the capacity to adopt specific measures coherently to promote orderly and systematic compliance with international law by all actors in a conflict, in particular the parties to the conflict and armed non-State groups. This was illustrated by the various examples provided by the Secretary-General in last year's report and in the preparation of the aforementioned aide-memoire.

Other important measures are those taken to punish non-compliance with international humanitarian law in order to put an end to any possibility of impunity. In the context of political support, of equal importance are the role of regional organizations and the contribution they can make to prevention, planning and operations, as well as the support they can provide to national capacity-building for the protection of civilians.

Peru reiterates its support for the promotion of and respect for international humanitarian law by all parties to a conflict, particularly non-State armed groups. Peru is a party to the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War and its Additional Protocols relating to the protection of victims in international and non-international armed conflicts, which are the cornerstones of international humanitarian law on the protection of civilians. That is why we reiterate our call on States that have not yet become party to these international instruments to do so.

In fulfilment of its international obligations, and with the aim of raising awareness of the framework for the protection of civilians in armed conflict among public officials and civil society, my country has implemented a policy of dissemination of international humanitarian law across the board. We have stressed the protection of civilians in armed conflict. We also recently presented a detailed report to the Secretary-General concerning the Peruvian Government's actions in this regard.

We consider it extremely important to develop the preventive, analytical dimension of a mission before it is deployed in order to best protect civilians and achieve an optimum understanding of the parties, reasons and circumstances of the conflict in relation to the civilian situation. More specific and appropriate mandates can be arrived at when they are developed on a more informed, case-by-case basis. This will also make it possible to fill in the gaps in terms of political guidelines and the planning and preparation of missions. It will improve orientation on the ground in the coordination needed to address problems that arise with the arrival and deployment of humanitarian aid, as well as with trafficking in small arms and light weapons.

As part of this preventive analysis, it will also be necessary to carry out an ongoing evaluation of the risks faced on the ground both by civilians and by those protecting them, particularly in peacekeeping operations. In this regard, we thank the informal Expert Group for its work. We suggest that the Group might also assess the lessons learned from missions carried out to date. It would also be helpful to continue to strengthen coordination among the Office for the

Coordination of Humanitarian Affairs, the Security Council, the Department of Peacekeeping Operations and the Department of Field Support. We also believe that the membership should have more information at its disposal on the successes, challenges and lessons learned along the way. That is why we would ask for a briefing concerning these lessons in the framework of the Special Committee on Peacekeeping Operations.

For the credibility of the United Nations, once the task of protection is accepted and taught, it is of capital importance to have clear, precise and adequately resourced mandates that also reflect limitations and existing conditions, in order not to raise expectations that exceed a mission's capacities, particularly in regard to the use of force. Coordinating the tasks of all stakeholders involved, particularly the efficient dovetailing of responsibilities relating to the need to protect civilians, is also extremely important.

Finally, while Peru supports the adoption of presidential statements at the end of debates of this kind — believing that they are instruments of value and utility to the matter under discussion — we also believe it very important that, before any such text is adopted, we also listen to and consider the opinions of the membership on the issue at hand. My delegation expressed this concern in the General Assembly's joint debate on the report of Security Council and Security Council reform (see A/65/PV.50). If it is our genuine intention to give added value to these debates, they should not be a mere formal exercise. On the contrary, they should be substantial debates where the presidential statement is drafted after the debate has taken place.

The President: I now give the floor to the representative of Pakistan.

Mr. Sial (Pakistan): Mr. President, I would like to avail myself of this opportunity to express our appreciation for your able presidency of the Council this month.

We listened attentively to the briefings by the Under-Secretaries-General for Humanitarian Affairs and Peacekeeping Operations, the High Commissioner for Human Rights and the Director-General of the International Committee of the Red Cross.

The Government of Pakistan strongly condemns attacks on civilians under all circumstances. Pakistan has been a strong and active supporter of the protection of civilians in armed conflict. Over the years, Pakistan has contributed to international efforts, particularly those led by the United Nations, for the protection of civilians in armed conflict. The most tangible demonstration of this, as the Council is well aware, is our participation as the top troop contributor to United Nations peacekeeping missions. We are very keen to make this debate more useful and to work together in focusing our energies to enhance implementation capacity to ensure more effective protection of civilians in armed conflict.

Objective reporting is a basic prerequisite for the consideration of this important issue. Systematic and consistent violations of the rights of civilians are frequent and pervasive around the world, especially in situations of foreign occupation. In our view, the report (S/2010/579) should have informed us more objectively about parts of the world where innocent people continue to suffer every day, including in situations that are on the agenda of the Council.

The report contains unwarranted and unacceptable references to Pakistan, for which there is no justification whatsoever. The assertions made therein are completely misplaced and factually incorrect. Pakistan is a vibrant democracy. By no stretch of imagination can the situation in Pakistan be described as an internal armed conflict. Pakistan has successfully confronted terrorism, which has roots in the conflict and strife in Afghanistan resulting from cold war dynamics. It is a lethal nexus of drugs and organized crime gangs, funded and supplied with weapons that pose a threat to Afghanistan's neighbours and to the global community as a whole. The consequence is that innocent civilians across the world, including in Pakistan, have been targeted.

Pakistan will continue to do all it can to eliminate terrorism. This we do to protect our people from terrorists and criminal gangs. We seek peace, prosperity and stability in order to achieve our development goals. We have, in this struggle, the full support of our people.

On a different plane, the report seeks perhaps to build an argument for allowing contact with non-State armed groups. This raises many serious questions, including that of the applicability of international humanitarian law to counter-terrorism. Certainly, no one would wish to advocate contact with or sympathy for Al-Qaida and hard-core criminal gangs.

We are perplexed when we see that many countries across the world that are facing situations involving insurgencies, and where protection of civilians has been a concern, fail to rate even a passing reference in the report. It is also a matter of grave concern to us that the report omits any reference to the serious and systematic violations of human rights and humanitarian law in Indian-occupied Kashmir that have been widely reported by the international media and civil society.

We hope that future reports on this agenda item will be balanced and more carefully drafted. It is important to address these issues objectively and to avoid politicizing questions relating to international humanitarian law.

The President: I give the floor to the representative of Slovenia.

Ms. Štiglic (Slovenia): Allow me first to thank the United Kingdom for organizing this open debate on the protection of civilians. Slovenia would like to congratulate Ms. Amos on her appointment as Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator. I would like to thank her, Under-Secretary-General Le Roy, High Commissioner for Human Rights Pillay and the Director General of the International Committee of the Red Cross, Mr. Daccord, for their presentations today.

Let me stress that Slovenia fully aligns itself with the statements delivered by the representatives of the European Union and, on behalf of the Human Security Network, of Costa Rica.

Last year was an important year in the Security Council for the issue of the protection of civilians. Resolution 1894 (2009) introduced new provisions that focus on humanitarian access, the implementation of protection measures in peacekeeping missions, and monitoring and reporting. In the past year, the Council also took several important decisions related to the special protection needs of women and children. We welcome the fact that the Council has started to address the concerns of the protection of civilians more systematically. We encourage it to continue to address those concerns consistently in its country-specific resolutions and presidential statements.

However, the situation of civilians in armed conflicts around the world remains alarming. As outlined in the report of the Secretary-General (S/2010/579), civilians continue to account for the majority of casualties in conflicts and are often the deliberate targets of different forms of violence by all parties to conflict. Special attention should be paid to the most vulnerable, namely, women and children, who continue to suffer extreme violence and hardship during conflict, in particular sexual violence, including rape.

Slovenia believes that the Council must increasingly focus on preventing conflict, including through early warning, as failure to do so bears only grave consequences for the affected civilians. The Council must respond to situations where civilians are at risk of systematic and widespread violations of humanitarian law and international human rights law, in particular to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity.

Grave violations of international humanitarian, human rights and refugee law should be properly addressed and the perpetrators of, and those responsible for, such violations should be found accountable. Impunity presents a major obstacle to the prevention of the grave violations committed against civilians in armed conflict. The Council should be sensitive to the issue of accountability, including in the country situations on its agenda.

Situation-specific resolutions have increasingly called for prioritizing the protection of civilians in the implementation of peacekeeping mandates. They have requested missions to develop protection strategies. The role of the Department of Peacekeeping Operations and the Department of Field Support in developing an operational concept on the protection of civilians in United Nations peacekeeping operations is of great importance in that regard. Lessons learned and the best practices of regional organizations are at our disposal and must be utilized.

The challenges ahead also concern the implementation of normative standards. We support the use of benchmarks, which would facilitate monitoring the implementation of those standards and peacekeeping mandates.

Slovenia shares the concerns over the impact of explosive weapons on civilians, in particular when used in densely populated areas. We are also deeply concerned about the tremendous challenges still arising from the presence of mines and other unexploded ordnance, which continue to constitute an obstacle to

the return of refugees and other displaced persons, humanitarian aid operations, reconstruction and economic development, as well as the restoration of normal social conditions. They have serious and lasting social and economic consequences for the populations of mine-affected countries. Slovenia is active in the area of mine action, especially through the International Trust Fund for Demining and Mine Victims Assistance, established by the Slovenian Government.

Let me conclude by stressing that the international community should not and must not be indifferent to the plight of civilians in armed conflict.

The President: I now give the floor to the representative of the Syrian Arab Republic.

Mr. Ja'afari (Syrian Arab Republic) (*spoke in Arabic*): At the outset, I would like to convey the gratitude of my delegation to you, Mr. President, for having convened this meeting on the protection of civilians in armed conflict. We would also like to thank all the speakers at the morning portion of the meeting.

We believe that this important topic cannot be approached in a selective or biased way. For that reason, we believe, together with the entire international community, that protection of the Palestinian, Syrian and Lebanese civilians living under Israeli occupation is a crucial part of the international effort.

While the Council has discussed that important issue for decades, we appreciate it all the more at a time when serious violations affecting the Syrian citizens in the occupied Golan and the Palestinian populations in the West Bank, Jerusalem and the Gaza Strip persist, owing to the barbaric Israeli aggression. That aggression includes continuing the settlements, aggression against civilians, imposition of the blockade, prohibition of civilian access to humanitarian aid, and attacks on the humanitarian assistance flotillas and the international peace activists aboard them.

Among the extraordinary paradoxes that have confronted the international community for decades, since the development of the concepts of international law and international humanitarian law, the suffering of civilians in armed conflict continues, despite the increased frequency of Security Council meetings devoted to such issues. The international community has made exceptional progress in international humanitarian law over the past centuries, but that law must not be implemented by applying it to the weak but not to the strong, nor by exonerating authorities of foreign occupation from the consequences of violating the rule and principles of international law.

Israel has committed crimes for decades and has violated the most basic principles of international humanitarian law. It is not held accountable for its activities and its barbarous occupation and military and political leadership. The international community is reluctant to address Israel's violations and to put an end to them and is powerlessness to tackle Israel's practices and violations because of its impunity or exemption from implementing some international resolutions. All those factors have enabled the Israeli occupying forces to continue to disregard international law and to persist in settling the territory, imposing the blockade on Gaza, stealing land and preventing humanitarian aid from reaching the besieged people of Gaza.

Amid its aggression in international waters against the Turkish freedom flotilla — which was bringing humanitarian assistance to the people of Gaza, besieged for four years — the bombing of the United Nations headquarters and the death of civilians sheltered there, today Israel openly states its rejection of all humanitarian principles of international humanitarian law and conducts its feverish quest to try to reverse humanitarian and legal advances by talking of the need for Judaism in that racist State so as to be able to continue its purging, racist policies of collective punishment, which, moreover, are punishable by law. It seems that there are different laws for those who are in favour of double standards, double standards that exempt Israel from being brought to account for its behaviour.

Israel's aggressive behaviour means that this country is able to achieve what no other country or usurper in history has ever achieved. This aggressive behaviour violates the legal legacy and heritage of all humankind, straightforwardly without exception, and enjoys, despite all that, some sort of protection.

The occupation of the Syrian Golan is similar to the picture that I have just drawn. Israel refuses to restore the occupied Syrian Golan to its motherland, Syria, and refuses to accept international resolutions, including resolution 497 (1981). In this context, we call upon the international community, in particular the

General Assembly and the Security Council, to shoulder their responsibility to prevent Israel from continuing its violations, such as pillaging natural resources in occupied Arab lands, including the Golan.

In conclusion, we simply do not know how long eyes will be averted from the Israeli occupation of Arab territories and its anti-humanitarian actions there. We simply do not know when the positions that are regularly expressed will be made real on the ground. Will the Security Council progress from debates and statements to actual implementation of its obligations and resolutions? That is the only question to which we must respond, for that is what is at stake when we talk about the defence and protection of civilians. It is an extremely important question.

The President: I now give the floor to the representative of Bangladesh.

Mr. Mahmood (Bangladesh): Let me begin by congratulating the delegation of the United Kingdom of Great Britain and Northern Ireland on its assumption of the presidency of the Security Council for the month of November, and I thank you, Mr. President, for convening this important meeting.

Civilians continue to suffer the brunt of violence during armed conflicts. It is against that backdrop that Member States of the United Nations pledged in the Millennium Declaration "to expand and strengthen the protection of civilians in complex emergencies" (resolution 55/2, para. 26).

The protection of civilians is a basic principle of humanitarian law. The 1949 Geneva Conventions and their 1977 Additional Protocols contain specific rules for the protection of civilians. In situations that are not covered by those treaties, in particular internal disturbances, civilians are protected by the fundamental principles of humanitarian law and human rights law.

Peacekeeping operations are one of the most important tools available to the United Nations for the protection of civilians in armed conflict. The Security Council's thematic resolution 1894 (2009), as well as its resolutions relating to children and armed conflict and to women and peace and security, the mandating of peacekeeping missions to protect civilians, the adoption of the aide-mémoire on the protection of civilians contained in document S/PRST/2009/1 and the creation of the informal expert group on the protection of civilians, have been important steps forward. However, at the same time, the gap between the words in the protection mandates and their actual implementation still seems to persist. In that regard, my delegation would like to re-emphasize the importance of the principle of the responsibility to protect, as endorsed in the 2005 World Summit Outcome (resolution 60/1), in preventing harm to civilians in armed conflict.

My delegation urges all parties to conflicts to ensure protection of the lives and property of civilians. My delegation condemns all violations of international humanitarian and human rights law and stresses the need to combat impunity, safeguard access for humanitarian assistance and protect the safety of humanitarian aid workers.

My delegation welcomes the latest report of the Secretary-General on the protection of civilians in armed conflict as contained in document S/2010/579. The report highlights three action areas, namely, ensuring a comprehensive approach (ibid., paras. 102-103), ensuring a consistent approach (ibid., paras. 104-105) and ensuring an accountable approach (ibid., paras. 106-110) in order to enhance the protection of civilians.

The vulnerable situation of civilians in post-conflict societies needs special attention. For peace to be sustained, civilian victims must be rehabilitated and reintegrated into their communities more effectively, and the perpetrators must bear the resultant cost.

The presence of uniformed female personnel may play a pivotal role in protecting civilians in armed conflict. I would like to take this opportunity to refer to the efforts of the all-women Bangladesh police contingent working in a peacekeeping mission in Haiti. We believe that a female police force could also play a critical role in a State's ability to protect its citizens.

Finally, we would like to mention what my delegation considers to be two overarching themes for the protection of civilians in armed conflict. The first relates to prevention and the building of a culture of peace. Prevention is at the heart of protection. The preventive capacity of the Organization must be enhanced. At the same time, Member States need to take steps to inculcate the values of peace, tolerance and harmony, which contribute to long-term prevention.

The second theme is that of coordination among all stakeholders. We believe that the protection of civilians is the primary justification for a United Nations presence in the field. My delegation stresses the importance of effective coordination, particularly among the various United nations entities, namely, the Office for the Coordination of Humanitarian Affairs, the Office of the United Nations High Commissioner for Refugees, the Department of Peacekeeping Operations and the Department of Political Affairs.

In conclusion, my delegation expresses its grave concern over the violations and breaches of international law, including international humanitarian law. For example, the total disregard and rejection of humanitarian and international law and their underlying values shown by the occupation forces in the occupied territories of Palestine for years now is a disgrace to all humanity. My delegation wishes to draw the international community's attention to the fact that the occupying State, as a signatory of the relevant provisions of the Fourth Geneva Convention, which stipulate the responsibilities of an occupying Power, cannot legally or morally absolve itself of its responsibilities to guarantee the basic human rights of the people under its occupation. The occupier State must comply with resolution 1860 (2009). My delegation strongly urges the international community, and in particular the Council, to take effective steps to ensure respect for and compliance with the Geneva Conventions in such a situation.

The President: I now give the floor to the representative of Ghana.

Mr. Christian (Ghana): We thank the delegation of the United Kingdom of Great Britain and Northern Ireland for organizing this important debate. Ghana welcomes the report of the Secretary-General (S/2010/579) and thanks Under-Secretary-General Valerie Amos for her statement this morning. We also acknowledge the Security Council's long-standing commitment to addressing this issue.

Since the Security Council's adoption of resolution 1265 (1999) and other relevant resolutions, the protection of civilians has remained a major issue in the Council's work. While we note the progress made, it needs to be said that events on the ground show that more attention has to be paid, especially as regards the full implementation of the resolutions adopted to protect civilians caught in conflict situations.

Resolution 46/182 adopted by the General Assembly in 1991 places the responsibility for the protection of civilians, first and foremost, with their respective States, which are also expected to facilitate the work of responding organizations in times of conflict. However, it is not unusual to find that the State whose responsibility it is to protect its own populations is the perpetrator of the crimes against civilians. It is thus imperative for the Council to address impunity and ensure compliance with international humanitarian law and improve access for and safety of humanitarian personnel.

Ghana continues to advocate the concept of the responsibility to protect recognized and adopted by world leaders in the 2005 World Summit Outcome Document (resolution 60/1), which was a call to action that emphasized the need for preventive measures and for the delivery of international assistance to States in order to enhance their capacity to fulfil their primary responsibiliiy to protect their own populations against genocide, war crimes, crimes against humanity and ethnic cleansing.

In that regard, on 24 September 2010, Ghana co-sponsored a ministerial meeting on the responsibility to protect under the theme "Fulfilling the responsibility to protect: strengthening our capacities to prevent and halt mass atrocities". What emerged was the clear commitment of participating Member States to prevent and halt atrocious crimes and the need for intervention by the international community. We therefore welcome ongoing discussions within the General Assembly with a view to clarifying and forging consensus on the scope and modalities for the practical application of the responsibility to protect.

We also note with appreciation the Council's commitment to the special protection needs of women and children in armed conflict. In 2008, the Council unanimously adopted resolution 1820 (2008), which for the first time identified as an impediment to international peace and security the use or commission of sexual violence as a tactic of war in order to deliberately target civilians or as a part of a widespread or systematic attack against civilian populations. The Council's intention to consider targeted sanctions and other measures against parties in situations of armed conflict who commit rape or other forms of sexual violence against women and girls was very much welcomed. Regrettably, the Council has yet to designate sanctions for any perpetrators of violence

against women, in spite of widespread reports that much abuse has taken place.

Ghana, which has remained among the top 10 contributing countries in peacekeeping and has also fulfilled its obligations with respect to the ratification of the Additional Protocols to the Geneva Conventions, is particularly concerned about the reported involvement in that regard of peacekeeping and humanitarian personnel deployed by the United Nations to prevent, recognize and respond to sexual violence and other forms of violence against civilians. We urge the Security Council to take a firm stance in ensuring that such perpetrators are appropriately brought to justice.

Ghana remains committed to regional initiatives to deal with the issue of protecting civilians in armed conflict. The African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa, adopted in October 2009 to promote and strengthen regional and national measures to prevent or mitigate, prohibit and eliminate root causes of internal displacement, is a good case in point. Among other things, member States undertook to prevent violations of international humanitarian law against displaced persons. The African Union's continued presence in Somalia is therefore partly in recognition of that mandate, which requires the continued and increased support of the international community.

In conclusion, Ghana wishes to encourage greater participation by the international community in the work of regional organizations in order to strengthen the capacity of such bodies to enhance their protection of civilians and ability to intervene in conflicts. We also stress the need to prosecute and punish perpetrators as a deterrent to crimes committed with impunity.

The President: I now give the floor to the representative of Azerbaijan.

Mr. Musayev (Azerbaijan): At the outset, I would like to thank you, Mr. President, for organizing this important debate on the protection of civilians in armed conflict. Let me also thank the Secretary-General for his eighth report on this topic (S/2010/579), and Under-Secretary-General Amos for her presentation. Azerbaijan aligns itself with the statement delivered today on behalf of the European Union. I would like to make a few additional remarks in my national capacity.

The attention of the Security Council to the situation of civilians in armed conflict remains vital and must be at the centre of the Council's deliberations and actions. As the Secretary-General pointed out in his report, that is particularly the case in the many protracted violent crises and conflicts with little prospect of a peaceful resolution in the near future.

Indeed, civilians continue to suffer from inadequate protection in situations of armed conflict. A defining feature of most, if not all, conflicts remains the failure of parties to respect and ensure respect for their obligations to protect civilians. The heightened vulnerability of civilians in wartime — in particular that of forcibly displaced persons, refugees, women and children — brings an element of urgency to our protection efforts and to the imperative to restore the rule of law.

Particular consideration must be given to the protection of civilians in armed conflicts aggravated by population displacement and foreign military occupation. There is increased recognition of the need to address the impact of conflict on housing, land and property, in particular in relation to the return of internally displaced persons and refugees.

More focused efforts are necessary to end illegal policies and practices in occupied territories, including forced demographic changes and the destruction and appropriation of historical and cultural heritage, as well as various forms of economic activity that directly affect the property rights of inhabitants who are considering returning to their places of origin.

It is important that the recognition of the right to return, along with increased attention to its practical implementation, be applied by the international community with more systematic regularity, including concrete measures to overcome obstacles that prevent return. Ensuring the right to return is to categorically reject the gains of ethnic cleansing while at the same time offering an important measure of justice to those displaced from their homes and land and deprived of their property, thereby removing a source of possible future tension and conflict.

Azerbaijan is of the view that the lack of agreement on political issues should not be used as a pretext to ignore problems caused by continued and

deliberate disrespect for international humanitarian and human rights law in situations of armed conflict and foreign military occupation. The fact that illegal situations continue because of political circumstances does not mean that they should be tolerated and allowed to continue forever. In that regard, my country considers it important to reaffirm the continued applicability of all relevant norms of international humanitarian and human rights law to such situations in order to invalidate activities aimed at consolidating military occupation, initiate urgent measures aimed at eliminating the adverse effects of such activities and discourage any further practice of the same or similar nature.

The need to enhance accountability for violations of international humanitarian law and human rights law is fundamental to enhancing compliance with international law by parties to conflict is. In that regard it is important to emphasize that ending impunity is essential not only for the purpose of prosecuting those responsible for war crimes, crimes against humanity, genocide or other serious violations of international humanitarian law and human rights law, but also for ensuring sustainable peace, justice, truth, reconciliation, the rights and interests of victims and the well-being of society at large.

Any steps aimed at promoting a culture of impunity — including measures to promote a war of aggression — or to glorify perpetrators of the most serious international offences or promote the odious ideas of racial superiority can contribute to further violations of humanitarian and human rights law, in particular with respect to peoples uprooted from their homes through continued acts of foreign military intervention, aggression or occupation.

The President: I now give the floor to the representative of Armenia.

Mr. Nazarian (Armenia): We also join previous speakers in thanking the Secretary-General for his report (S/2010/579) and his active involvement in addressing this important subject. Armenia aligns itself with the statement made earlier on behalf of the European Union. I would like to make some brief remarks in my national capacity.

The Council has significantly developed its thematic work on the protection of civilians since the last time we held a similar debate (see S/PV.6354). As we mark the first anniversary of the Council's adoption of resolution 1894 (2009), it is important and commendable that this body has continued its practice of holding annual open debates on the protection of civilians featuring briefings by the Under-Secretaries-General for Humanitarian Affairs and Peacekeeping Operations. We were also pleased to hear presentations by the High Commissioner for Human Rights and the Director-General of the International Committee of the Red Cross offering analysis of the Council's actions in recent years and touching upon important developments.

With the adoption of resolution 1894 (2009) exactly a year ago, the Council introduced new provisions focusing on humanitarian access in the implementation of protection mandates in peacekeeping operations. Armenia welcomes the fact that the Council also took several important decisions relating to the protection needs of vulnerable groups during armed conflict, and we are grateful to have had the opportunity to contribute to the debates on children and armed conflict, the protection of civilians, and women and peace and security in June, July and October, respectively.

Today's debate offers another opportunity for the Council to evaluate the progress made on key issues, such as the implementation of resolution 1894 (2009), and to indicate areas where further focus is needed, including the enhancement of compliance with international humanitarian law and the strengthening of accountability for violations thereof. Ensuring such accountability and enhancing compliance with the international legal obligations of parties to conflict should be viewed as key elements of the Council's responsibility to maintain international peace and security. In that context, it is important to improve the use of established sanctions regimes and to implement the binding resolutions that call on all States to adopt national legislation for the prosecution of individuals responsible for genocide, crimes against humanity and war crimes.

In the lessons learned process, this debate should also enable the Council more effectively to address the specific concerns related to the protection of civilian populations. The Council has to send a clear message to all parties to armed conflict, reminding them of their obligations and condemning violations of international humanitarian law.

The concept of the protection of civilians is founded on the universally accepted rules of

humanitarian and human rights law, which are set down in a range of international legal instruments. For that reason, we believe that the Council could more effectively seek thorough compliance by all parties with the norms of international humanitarian law.

The frequency with which the Security Council addresses this issue signifies the urgency of the matter and the need for the international community to fulfil its commitment to protecting civilians. We therefore share the views expressed by Council members and other speakers calling for more systematic attention to be paid to protection. We strongly believe that increased efforts to fight impunity at the national and international levels are essential.

Armenia therefore welcomes the initiative of the United Kingdom to hold this debate, and is committed to working with the Council and other Members on addressing the challenges to the Council's work on the protection of civilians.

The President: I give the floor to the representative of India.

Mr. Manjeev Singh Puri (India): I would like to thank you very much, Sir, for convening today's thematic debate and for reminding us very explicitly of the four-minute rule. I shall try to do my best on that.

I of course express appreciation to the Under-Secretary-General for Humanitarian Affairs, Ms. Valerie Amos, and the United Nations High Commissioner for Human Rights, Ms. Navanethem Pillay, for their briefings. We also welcome the eighth report of the Secretary-General on the protection of civilians in armed conflict (S/2010/579).

India firmly believes that it is the solemn responsibility of the international community to protect civilians and safeguard their human rights. Naturally, this also entails that the peacekeeping missions that we mandate should be adequately resourced. Notwithstanding the development of International humanitarian law, United Nations human rights law and Security Council resolutions and mandates, civilians continue to suffer. Even more unfortunate is the fact that civilians suffer a disproportionate share of casualties as compared to belligerents. It is they who bear the brunt of violence in conflict and post-conflict situations.

Efforts to protect civilians may be hampered by a variety of reasons, such as the unwillingness of parties to a conflict to abide by international humanitarian law, the lack of resources, information gaps, or the lack of understanding about what peacekeepers should and can do to protect civilians. In such a situation, new and innovative approaches are required that are comprehensive in nature. The essential elements of such an approach include, inter alia, strict compliance with and respect for international humanitarian law, human rights law and international law; no impunity; the prosecution of those responsible for committing serious crimes; the development of country context-specific United Nations mandates; the development of requisite benchmarks to assess progress; the predeployment training of troops; and a well-charted mandate, along with appropriate guidelines to guide the mission in its work.

India believes that the primary gap is that of resources. First of all, the number of troops sanctioned for a peacekeeping mission should be such that it is in a position to provide meaningful support to national authorities. Similarly, those responsible for the development of normative frameworks and guidelines for the mission should invariably include the protection of civilians as necessary component.

The roots of peacebuilding go deep into Security Council mandates on peacekeeping. In providing mandates, the Security Council needs to get a clearer idea of operational realities. No achievable mandate can be finalized without the meaningful involvement and substantive consultations with troop- and police-contributing countries. In this context, it is absolutely necessary that unachievable mandates not be generated for the sake of achieving political expediency. Mandates must be driven by national requirements and not by the priorities of others. In working on mandates, emphasis should be on understanding and providing what host Governments require, not an exercise in collating can be given to them.

Another important aspect of the protection of civilians in the armed conflict is the strengthening of national capacities. The protection of civilians is a national responsibility and requires institutions and conditions that are conducive to their functioning. Peacekeepers must be there to aid in the development of these national capacities.

In the view of my delegation, more serious consideration and thought need to go into the manner in which these capacities may be developed. Such capacities and institutions must be relevant to the

realities of the area in which United Nations operations are deployed. In this regard, the experiences and capabilities of developing countries, particularly those that have gone through successful nation-building exercises, would be of immense value. The Security Council must find ways and means to harness these capacities.

The Security Council must also be in a position to give clear policy guidance to the Department of Peacekeeping Operations (DPKO). The independent study commissioned by DPKO last year succinctly stated that the confusion over the Council's intent is evident in the lack of policy, guidance, planning and preparedness. We stand ready and willing to engage in the development of this process.

India is committed to contributing, through its peacekeepers and its national capacities, to the promotion of peace and security and to the role of the United Nations in the protection of civilians in armed conflict. Before I conclude, I must state that the references made to the Indian state of Jammu and Kashmir by the representative of Pakistan were not only untenable, but also had no place in today's debate.

The President: I give the floor to the representative of the Philippines.

Mr. Cabactulan (Philippines): The Philippines is grateful for this opportunity to address the Security Council on today's open debate on the agenda item "Protection of civilians in armed conflict". The Philippines has always considered this issue to be of special importance, taking into account its national and international dimensions. The Philippine Government continues to work seriously to protect civilians in armed conflict not only in its own national territory, but also the overseas Filipino workers who are sometimes caught in fighting in areas of conflict or potential conflict in other parts of the globe. Thus, ensuring their safety is a top priority for the Philippine Government.

I wish to thank the various speakers this morning for their very useful briefings. The Philippines associates itself with the position of the Non-Aligned Movement delivered earlier by the Permanent Representative of the Arab Republic of Egypt.

I wish to commend you, Sir, and the United Kingdom delegation for putting the protection of civilians in armed conflict on top of the Council's agenda. At the same, I commend the United Kingdom for its able and competent chairmanship of the informal Expert Group on the Protection of Civilians since its establishment in January 2009. I also wish to express our appreciation to the Security Council for its consistent and untiring engagement on this issue, both at the thematic level and in country-specific cases, since the adoption of resolution 1265 (1999) in September 1999 — the first resolution on the protection of civilians.

The adoption of resolution 1894 (2009) on 11 November last year once again reinforced the Council's commitment to the protection of civilians by taking concrete steps towards this end by ensuring humanitarian access, providing protection mandates to peacekeeping missions, and recognizing the need for the effective monitoring and reporting of cases.

Despite the advances achieved in recent years, however, more challenges remain to be addressed, as pointed out by the United Nations officials concerned who have shared their insights on this issue. The open debate today therefore provides a good opportunity for us to take stock of the progress made on key issues and come up with new approaches to resolve them.

In recent years, the various reports and recommendations on the protection of civilians caught in armed conflict have given us a good panoramic view of the problems associated with this issue. Among the relevant recommendations are the need to include the protection of civilians in any conflict-resolution strategy, improving humanitarian access, the role of United Nations peacekeeping and other relevant missions in the protection of civilians and the establishment of commissions of inquiry to reinforce accountability.

The Philippines has taken those recommendations into account. In fact, we have taken appropriate measures to integrate them in the implementation of our national policies and work plan. I am therefore pleased to inform the Council of the following concrete steps that the Philippines has taken.

First, as the Philippine Government continues to engage in peace talks with the Moro Islamic Liberation Front and the New People's Army, it has also taken every measure to ensure that, until lasting peace is achieved, civilians are properly protected and those who commit violence and wrongdoing against them are held accountable.

Secondly, the Philippines has consistently called for a system-wide approach where the work of United Nations bodies — namely, that of the Security Council, the General Assembly and the Economic and Social Council — on this issue is effectively integrated into the work of other entities, specialized agencies and, in applicable cases, non-governmental organizations and civil society.

Thirdly, the Philippines has supported a more proactive approach through concrete efforts to protect civilians in the face of imminent conflict. This proactive way of protecting people will save more lives and reduce their vulnerability to the grim consequences of conflict. In that regard, the Philippines actively provides protection during armed conflict, especially to women and children, who are the most vulnerable segment of society.

I cannot overemphasize the commitment of the Philippine Government to ensure the protection of civilians caught in armed conflict. We have put in place mechanisms for investigation and prosecution to deal with such cases. In that context, the Philippines enacted a new law in December of last year, namely, Republic Act No. 9851 — the Philippine law on crimes against international humanitarian law, genocide and other crimes against humanity — which mandates the protection of civilians and provides for the criminal and administrative liability of commanders and other superiors under the principle of command responsibility.

I would also like to assure Council members that the new Government of President Benigno Aquino III continues to adopt measures and implement good practices on the protection of civilians as a matter of priority.

In conclusion, the Philippines strongly believes that a culture of protection of civilians can be truly instilled if there is genuine domestic ownership of a culture of protection. In that regard, the Philippines will continue to work with the United Nations to promote and strengthen this culture of protection, which is actually rooted in the sanctity of human life and respect for the human rights of every person on the planet, especially in conflict areas.

The President: I now give the floor to the representative of the Sudan.

Mr. Osman (Sudan) (*spoke in Arabic*): At the outset, I should like to associate my delegation with the statement delivered by the representative of Egypt on behalf of the Non-Aligned Movement.

Eleven years have passed since the Secretary-General submitted to the Security Council his first report (S/1999/957) on the protection of civilians in armed conflict. We continue to have high hopes that the Council's ongoing deliberations on this issue will lead to a comprehensive approach and far-reaching objective vision on the best means to protect civilians. My delegation believes that first and foremost in that effort should be the elimination of the root causes of armed conflict. Avoiding the causes of conflict and supporting lasting and comprehensive political settlements are the best guarantees for ensuring the protection of civilians. Protection is always more effective than the cure.

The recommendations of the Secretary-General in his various reports on this issue have focused on the need to reactivate and improve the capacities of United Nations peacekeeping operations with regard to the protection of civilians. However, realities on the ground and practical experience in many countries have clearly confirmed that, in the absence of any peace to be kept, peacekeeping missions will not achieve the desired goal, regardless of the level of their capacity to protect.

The enjoyment of peace by all is what primarily protects civilians. That includes the speedy implementation of development, economic recovery and reconstruction programmes, as well as programmes for disarmament, demobilization and reintegration, the provision of services and quick-impact projects to ensure stability and the speedy resettlement of returnees. Peace also guarantees that civilians can leave refugee camps and return to their homes to resume ordinary lives.

Against that backdrop, peacebuilding must be the primary priority and concern of the United Nations, which should not be distracted from it by dealing with other symptoms of conflict. Moreover, I wish to reiterate that we must take advantage of regional organizations with proven ability and capacity to build and maintain peace, given their direct link to the causes of conflicts and their comprehensive understanding of them. In that regard, I would also like to point to the decisions taken at the meeting organized by the Office for the Coordination of Humanitarian Affairs in Dakar in April 2007 on the role of regional organizations in

the protection of civilians and on peacebuilding overall.

The principle of protecting civilians in armed conflict is a noble one to which we all aspire. However, we are concerned by attempts by some countries to utilize that goal to serve particular political aims, such as the ongoing campaign on the so-called responsibility to protect. In that regard, I would like to reiterate that, although referred to in the 2005 Summit Outcome, the responsibility to protect is still the subject of divergent interpretations on the part of Member States. In that connection, we must bear in mind the established principles of the Charter of the United Nations vis-à-vis the sovereignty and legitimacy of Member States and their full responsibility for the protection of their citizens.

I would also like to note that the right to protect civilians in armed conflict is but one aspect of an integrated and interconnected system of rights and duties, as reaffirmed by the 2005 Summit Outcome. The main thrust of the Summit was to follow-up the implementation of the Millennium Development Goals, foremost among which are development, combating poverty and preventing conflicts by dealing with their root causes. The protection of civilians must therefore take place in the context of a comprehensive and integrated approach that is primarily focused on dealing with the root causes to conflict from the earliest stages, with the Security Council playing an active role in leading and supporting efforts at political mediation, reconciliation and compromise. That should be complemented by a parallel role for the United Nations Secretariat and its agencies vis-à-vis humanitarian considerations and promoting economic growth, recovery and sustainable development. In particular, donors should honour their development pledges.

Ultimately, the protection of civilians is the responsibility of individual States themselves. Therefore, we should improve the capacities of the concerned States so that they can assume their responsibilities ably, rather than weaken those capacities through sanctions, despite the fact that those who support sanctions try to portray them as either smart or targeted or by using other evasive descriptions. None of those descriptions alter the reality that sanctions cause undeniable harm to the ordinary people of the country targeted.

In its section II, the report of the Secretary-General mentions attacks on humanitarian workers in Darfur, including incidents of kidnapping, robbery and the looting of assets and mobile units. While we share the Security Council's concern over this phenomenon, we would also like to draw members' attention to the fact that the perpetrators of such attacks are most likely members of armed rebel movements and gangs of thieves and bandits affiliated with the rebels, or of a number of groups that are offshoots of the armed rebel movements, which carry out these robberies and attacks in order to fund and provision their members and to destabilize the situation throughout Darfur in order to send a deceptive message to the international community, as is currently the case.

We believe that the personnel of humanitarian agencies and organizations have a primary responsibility to coordinate with local authorities before going to any areas to which they want to deliver aid so that the Government can offer them the necessary protection. We have recently noticed that many humanitarian workers do not abide by safety procedures or coordinate with the authorities, making them vulnerable to such attacks. Allow me to provide two striking examples of this. Humanitarian workers in Darfur have agreed with us to abide by three rules, one of which is to put insufficient fuel in their vehicles so that car thieves cannot drive them to distant locations. However, humanitarian workers have not followed this advice. That is the first example. Another point that we agreed upon was that they would lock their vehicles when they parked them, but they continue not to do so, which has encouraged many rebels to take advantage of their lax behaviour. These workers are often the personnel of United Nations agencies. Therefore, we want to reaffirm the need to abide by safety measures and to coordinate with the authorities, which would greatly reduce the robberies and attacks against vehicles and minimize the kidnapping of humanitarian workers.

In closing, we confirm the need to adopt a comprehensive approach that would deal primarily, without selectivity or discrimination, with the root causes of conflicts in addressing the protection of civilians in armed conflict. We also affirm the need for the Security Council to demonstrate in practical terms the extent of its support for the protection of civilians in armed conflict by supporting comprehensive political settlements of conflicts. The Security Council

must support all mediation efforts in order to resolve conflicts and address their root causes and motives.

The President: I now give the floor to the representative of Uruguay.

Mr. Cancela (Uruguay) (*spoke in Spanish*): At the outset, I would like to express my appreciation for the constructive work that your delegation, Mr. President, has been doing to advance the subject that we are discussing today.

The delegation of Uruguay welcomes the significant progress that has been made since the last report of the Secretary-General (S/2009/277), which helps in various ways to improve the situation of civilian populations in armed conflict. This includes the entry into force of the Convention on Cluster Munitions in August; the progress made at the Review Conference of the Rome Statute in extending criminal individual responsibility to various circumstances; recent developments with regard to the prevention of genocide and other mass atrocities; and, in general, the important normative progress made at Headquarters with regard to various areas that pertain to innocent civilians, particularly the most vulnerable, such as women and children.

Despite this progress, Uruguay believes that there is a wide gap between the legal developments that have taken place in recent years with regard to the protection of civilians in armed conflicts, and the real situation of civilian populations affected by such conflicts, including in those places where the United Nations is represented by peacekeeping operations.

This is why we can only endorse the approach suggested by the Secretary-General that we concentrate on making a tangible difference on the ground and take into particular account the situation as it is experienced before we make critical decisions with regard to the future of the United Nations presence on the ground. On the one hand, we should avoid the premature withdrawal of missions when we have yet to effectively stabilize the security conditions. On the other hand, we must reconcile this with the principle of the consent of the host State, which has the primary responsibility to provide such protection — a crucial aspect that constitutes one of the pillars of the legitimacy of this system and sets it apart from other alternatives. The existence of realistic indicators, based on the well-being of the population and prepared using the input of the stakeholders involved, could be an important step forward in this regard.

There is a world of difference between the will of the Council and the effective implementation of protection, not only in terms of the geographic separation between Headquarters and the areas of conflict, but also because of the lack of understanding and coordination that may exist between those who establish mandates and those who implement them, given the difference between our desires and expectations here and the reality of scarce resources and wide-ranging difficulties on the ground. For this reason, which we perceive primarily from our perspective as a contributor of troops and police, our country has attempted to play a constructive role at Headquarters, particularly in the General Assembly, which is the body that represents us, with the aim of bringing those who establish mandates and those who implement them closer together in order to reach the broadest possible consensus on these issues.

In this regard, we believe that we should recognize the valuable progress that has been made over the past two years in the Special Committee on Peacekeeping Operations. It is in our interest to continue working constructively along these lines. To that end, on 6 December, together with the Mission of Australia, we will organize a third workshop on the protection of civilians in peacekeeping operations. This time, we will focus on the strategic framework for the protection of civilians, as called for last March by the Special Committee.

Finally, my delegation stresses the importance of all parties in all situations preserving, strengthening and complying with the standards of international humanitarian law in order to ensure full respect for the principles of humanity, neutrality, impartiality and independence, as well as the absolute necessity of facilitating access for humanitarian workers and of ensuring adequate security for the fulfilment of their tasks. In this regard, dialogue with armed non-State groups should not be understood as a legitimization of such groups; rather, it should be sought in order to foster their understanding of and respect for international humanitarian law.

Similarly, we reiterate that all humanitarian responses must be sustainable and take the development perspective into account so as to ensure the required capacity-building at the national level in this critical area. Uruguay believes that the protection

of civilians in armed conflict is a multidimensional issue that feeds and is fed by other different but linked issues, such as children in armed conflict and women and peace and security, among others. For that reason, it is critical to maximize coordination, produce synergies, avoid duplication of efforts and make the most effective use possible of the means at this Organization's disposal on the ground.

The President: I now give the floor to the representative of the Bolivarian Republic of Venezuela.

Mr. Valero Briceño (Bolivarian Republic of Venezuela) (*spoke in Spanish*): Allow me to express on behalf of the Government of the Bolivarian Republic of Venezuela our gratitude for the opportunity to participate in this debate. My delegation aligns itself with the statement made by the Permanent Representative of Egypt on behalf of the Non-Aligned Movement.

No one can dispute the need to protect all vulnerable civilians from the effects of armed conflict, pursuant to the relevant instruments of international law, international humanitarian law and, in particular, the Geneva Conventions and their Additional Protocols. Those instruments should be applied equally to all cases involving threatened civilian populations, ensuring full transparency in the application of the law and eliminating the ongoing impunity of those States whose aggressions against unprotected civilian populations have been condoned for too long.

The protection of civilians in the context of peacekeeping operations is one of many tasks established in Security Council mandates. It is related to other equally important tasks and its implementation is viable only within the regulatory framework that sets out the guiding principles for such operations: the consent of the parties, impartiality and the non-use of force. The protection of civilians cannot be conducted outside the political and legal bases accepted by States. A successful strategy for the protection of civilians demands that the root causes of conflict be systematically addressed through actions that have a positive impact on development and using appropriate channels for the peaceful resolution of disputes.

As established in international law, States or parties to a conflict have the primary responsibility for the protection of civilians under the Fourth Geneva Convention. Peacekeeping operations are in certain limited cases assigned the task of protecting physical well-being in situations of imminent danger to life, always within the ground deployment of a mission and when required to facilitate humanitarian aid.

We note the significant risks inherent in any initiative that seeks to operationalize the protection of civilians, especially in the light of the coexistence of divergent, mutually exclusive conceptual approaches to the problem and of the individual nature of each armed conflict. In this context, the issue of civilian protection forces us to reiterate the questions formulated in 2005 by President Hugo Chávez during the discussions on the responsibility to protect, which have yet to be answered. Who defines — and how — what is necessary to protect civilians? What is the body responsible for identifying the potential players — "spoilers" — threatening the fulfilment of the mandate? Finally, what risks do these issues present for the impartiality of a peacekeeping mission? It is necessary for the Member States to deliberate these issues in the General Assembly as a basic prerequisite for progress in the formulation of policies that bring about genuine and broad consensus.

The President: I now give the floor to the representative of Morocco.

Mr. Loulichki (Morocco) (*spoke in French*): My delegation's participation in this debate on the protection of civilians in armed conflict is based on the importance that my country attaches to this goal and on its commitment, alongside the United Nations, to ensuring its implementation.

Immediately after having suffered the horrors of the Second World War, the international community established important legal standards to protect civilians affected by armed conflict. These include the Geneva Conventions of 1949, the Convention Relating to the Status of Refugees and various international human rights instruments, whose main objective is to spare civilian populations from suffering, especially women, children and the elderly. For over 11 years, the Council has addressed this issue and has thus enriched the debate and created worldwide support for a sustained and concerted effort of the international community on the issue.

Despite this progress, we are unfortunately forced to note that civilian populations continue to be the first victims of armed conflict. That reality requires all parties to armed conflict to abide by international law and refrain from any actions that cause harm to

civilians. The report of the Secretary-General (S/2010/579) pursuant to resolution 1894 (2009) notes a number of positive international developments as well as the many challenges that remain.

My delegation associates itself with the statement made by the Permanent Representative of Egypt on behalf of the Non-Aligned Movement. We would, however, like to address some aspects of the issue under consideration.

The best way to protect civilians in armed conflict is to prevent conflicts from erupting and to find lasting solutions to those that exist. In many situations, it is important that the parties involved demonstrate the political will and resolve necessary to finding lasting compromise solutions to end the suffering of affected populations. Neighbouring States — which, in a number of cases, are parties, in name or in fact, to conflict — must act responsibly to that end.

The Security Council and the international community must support parties in this process by creating conditions conducive to putting an end to these conflicts. Primary responsibility, however, falls on the nation State to protect its citizens and other peoples living in its territory. It should do so, of course, in adherence to current international obligations, rules and laws.

We commend the Council's efforts to provide greater assistance to populations at risk. These efforts are strengthened by the mandate of the Special Representative of the Secretary-General for Children and Armed Conflict and on Sexual Violence in Conflict. The effective implementation of resolution 1325 (2000) will undoubtedly help us to provide better protection for women. Similarly, the fight against the use of child soldiers must remain a priority of the international community.

Refugees are the very first to suffer from the eruption or continuation of conflicts. Host States have the obligation to ensure that they fully enjoy their rights, including the right of return. In protecting refugees, it is vital that the humanitarian and civilian nature of refugee camps not be compromised by the presence of armed elements and that refugees be able to exercise their right of voluntary return in security and dignity. Finally, in meeting the needs of refugees while protecting them, they must be counted and registered without delay. This is a primary, essential and inescapable obligation.

My delegation strongly condemns all attacks on humanitarian personnel and convoys and calls for their protection. We equally condemn the diversion by a number of armed groups of humanitarian assistance, which, rather than reaching the populations in need, serves to enrich the leaders of these groups, who must be held accountable by the international community as perpetrators of serious violations of international humanitarian law.

As the Secretary-General underlines, the proliferation of non-State armed groups has exacerbated the difficulties involved in protecting civilians. When these groups violate international law, they must be brought to justice by the international community. In addition, humanitarian agencies must ensure that humanitarian work is not used by these groups for political ends.

My country urges the international community to confront the excessive accumulation of small arms and light weapons, whose devastating effect on the civilian population has been clearly demonstrated. These arms often constitute a genuine threat to the peace and security of entire regions when they are trafficked and used by terrorist groups to attack innocent persons and threaten States and groups of States.

In conclusion, I would like to state that, beyond United Nations actions to restore and build peace, preventive diplomacy and early warning systems remain important tools available to the Security Council for the peaceful settlement of disputes, the de-escalation of emerging crises and the prevention of the return of conflict. They should be used more often and systematically so as to have a palpable impact on hotbeds of tension throughout the world.

The President: I now give the floor to the representative of Colombia.

Mr. Osorio (Colombia) (*spoke in Spanish*): Allow me to congratulate you, Mr. President, on your assumption of the presidency of the Security Council for November and for your initiative to convene this debate.

I would also like to thank the Under-Secretary-General for Humanitarian Affairs, the Under-Secretary-General for Peacekeeping Operations, the High Commissioner for Human Rights and the Director-General of the International Committee of the Red Cross for their briefings, which are of great importance and help to shed light on our debate.

I would like to emphasize the resolve and commitment of the Government of Colombia to protect civilians in armed conflicts and to guarantee their rights throughout the world. We are convinced that respect for the life and integrity of all people is the foundation of democracy. At his recent inauguration, President Juan Manuel Santos underlined that respect for these commitments reflects the most important democratic, ethical and human convictions.

The Government and Congress of my country are currently drafting three bills with a view to continue strengthening the State's institutional capacity and promoting the social and economic prosperity of our people. These bills address the issues of victims and land restitution, royalties from natural resources, and corruption.

The State has the primary responsibility to protect civilians in armed conflict. Respecting this principle is essential to strengthen the State's capacities and to identify long-term solutions, with the cooperation of the international community, when required. Our own experience has shown that strong democratic institutions help to achieve the goals of progress and overall well-being. This has been shown by the results obtained in Colombia in recent years.

The Secretary-General's report (S/2010/579) is an important contribution to the intergovernmental consultations taking place in the General Assembly and the Security Council on the protection of civilians. We reiterate that the analyses conducted and actions adopted should take place in observance of the United Nations Charter, international and national law, and in the framework of the principles of neutrality, impartiality, humanity and independence. Special attention should be paid to holding consultations with the Governments of concerned countries and to recognizing the specificities of each case under consideration.

Regarding observations concerning the possible engagement of humanitarian actors with illegal armed groups, my Government reaffirms that such engagement must enjoy the explicit consent of the concerned State and comply with national and international humanitarian law. The lack of information on and knowledge of specific realities on the part of international actors could have a negative impact on the actual protection of civilians.

My delegation wishes to emphasize the need to establish effective controls over the illicit traffic in small arms and light weapons as a key element for better protection of the civilian population. Today in Bogota, a parliamentary forum on small arms and light weapons will be attended by parliamentary representatives of 50 countries, who will discuss the threat posed by the proliferation of such weapons to development, democracy and security in many parts of the world.

Colombia reaffirms its commitment to the Cartagena Action Plan adopted at the Second Review Conference of States Parties to the Mine Ban Convention in December 2009. Colombia also supports the initiative of the Secretary-General concerning the establishment of indicators for assessing progress in protecting civilians in the context of peacekeeping operations. This initiative should be developed taking into consideration each operation's mandate and should not be based on theoretical formulas looking for universal solutions. My delegation will participate actively in the discussions on this matter and will contribute to its advancement in the various organs and entities of the United Nations.

The President: I now give the floor to the representative of Botswana.

Mr. Ntwaagae (Botswana): My delegation associates itself with the statement made to the Security Council by the Permanent Representative of Egypt on behalf of the Non-Aligned Movement.

Botswana attaches great importance to the protection of civilians in armed conflict and, in this connection, welcomes your initiative, Mr. President, to hold this open debate. Let me also commend you for inviting representatives of international humanitarian organizations and other players who have assisted in enriching today's debate.

Botswana appreciates the thorough and comprehensive report of the Secretary-General on the protection of civilians in armed conflict, dated 11 November 2010 (S/2010/579). We note the chilling message contained therein, to the effect that "Whether as the intended targets of attack or the incidental victims of the use of force, civilians continue to account for the majority of casualties in conflict" (*ibid., para. 3*).

Given this account, my delegation believes that Member States of the United Nations, and particularly members of the Security Council, should ensure that

the issue of protection of civilians in armed conflict remain high on the agenda of the United Nations, because attacks on civilians in theatres of armed conflict are in violation of the Charter of the United Nations, international law, international humanitarian law and international human rights law.

My delegation also agrees that while significant advances have been made in the past decade to develop a comprehensive policy and an institutional framework for the protection of civilians in armed conflict, and that while such discussions continue, urgent measures should be taken to stem the tide of human rights violations on the ground.

My delegation calls for an end to actions that harm innocent civilians in conflict situations, including the use of civilians as human shields, the obstruction of humanitarian operations, the theft of humanitarian supplies and plundering of other resources, the use of murder and maiming as instruments to terrify civilian populations, and the use of rape as a weapon of war.

Botswana notes with appreciation the recommendations contained in the report of the Secretary-General and finds them to be a useful framework for guiding the actions of concerned parties in addressing the core challenges, which are: compliance with international law by parties to a conflict, the protection role of United Nations peacekeeping missions, humanitarian access, and accountability for violations of international law. Botswana believes that those recommendations should be assessed with a view to arriving at improved practical solutions for the work of the Council as well as peacekeeping and humanitarian operations.

We are pleased, Mr. President, that you have convened this open debate on a subject which, due to the protracted nature of many conflicts, may very easily receive reduced attention over time. It is very important that the ideas generated during today's debate be allowed to feed into the reassessment of practices in the areas stipulated, and I wish to assure you of my delegation's continued interest and full support in that regard.

Finally, Botswana welcomes the presidential statement (S/PRST/2010/25) adopted today.

The President: The representative of Lebanon has asked for the floor to make a further statement. I now give him the floor.

Mr. Karanouh (Lebanon) (*spoke in Arabic*): One of today's speakers claimed to care for Lebanese civilians. What is worse, that party continues not only to occupy Arab land but also to exercise aggression against its neighbours. It continues to challenge the resolutions of this Council and the provisions of international law and international humanitarian law and to violate the Geneva Conventions, especially by indiscriminately attacking, killing, besieging and displacing innocent civilians, not sparing civilian facilities from its bombings and destruction.

The President: Under-Secretary-General Amos has asked for the floor to respond to comments and questions raised. I now give her the floor.

Ms. Amos: In the interests of time, I will not respond to all of the detailed points that have been made, but I can reassure Council members that I have taken note of them. I would, however, like to respond to some of the recurring themes raised during the debate.

First, I welcome the support expressed for the informal Expert Group and the interesting proposals from a number of States to expand its use and increase its utility to the Council. I also welcome today's adoption of the updated aide-memoire (S/PRST/2010/25, annex).

I am encouraged that the majority of speakers have referred to the core challenges that we face in enhancing the protection of civilians and the need to redouble our efforts in that regard.

Many speakers have underlined the need for compliance by parties to conflict with their obligations to protect civilians and the significance, in that respect, of ensuring the accountability of those who violate the law. Attention has been drawn too to the importance of safe, timely and unimpeded humanitarian access to those in need.

I welcome the focus on compliance and access. However, if we are to succeed in improving both, humanitarian actors must be able to engage with non-State armed groups. A small number of States have expressed the concern that humanitarian engagement may afford such groups legitimacy. That is not supported by our experience. Only through engagement can we promote and seek improved protection for civilians and have consistent and safer access to those in need.

I also took note of the support for improving monitoring against established benchmarks and indicators. I consider that a key gap in more successful implementation of protection measures on the ground and in reporting progress made in protecting civilians. I will report back to the Council on that in my next report.

Some speakers have raised concerns over the inclusion of certain situations in the report of the Secretary-General and their characterization as situations of armed conflict. Whether a situation constitutes armed conflict is determined by the facts on the ground. It is determined on the basis of criteria developed in the jurisprudence of international tribunals. Such a determination does not affect the legal status of the parties involved; it does not equate the parties in any way. And it should not be seen as judging or condemning the conduct of the parties. It is also completely separate from the determination of whether the use of force is legal and whether the actions of the parties comply with international humanitarian law and human rights law.

Finally, reference has been made to the nature of contemporary conflict marked by the struggle against non-State armed groups in so-called asymmetric warfare. I acknowledge the complexity of those challenges and would emphasize that international humanitarian law is no less relevant in those contexts.

The law is very clear: all parties to conflict must at all times take the necessary steps to spare the civilian population and distinguish at all times between civilians and combatants. Moreover, violations by one party, including non-State parties, do not permit or justify violations by any other party to that same conflict. Indeed, the nature of contemporary conflicts and the increasing prevalence of conflict in densely populated settings require ever more vigilance from the parties and determined efforts to respect and to ensure respect for their obligations under the law.

I look forward to working with the Council in the coming years in addressing protection-of-civilians concerns and issues relating to humanitarian action more broadly, as well as working with individual Member States. I also look forward to continuing the practice of bringing particular situation-specific concerns to the attention of the Council following my country missions.

The President: I thank Under-Secretary-General Amos for her clarifications in response to the comments by Member States and other participants.

There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 6 p.m.

United Nations S/PV.6428

Security Council

Sixty-fifth year

Provisional

6428th meeting

Tuesday, 23 November 2010, 10 a.m.

New York

President:	Sir Mark Lyall Grant	(United Kingdom of Great Britain and Northern Ireland)
Members:	Austria	Mr. Lutterotti
	Bosnia and Herzegovina	Ms. Čolaković
	Brazil	Mrs. Dunlop
	China	Mr. Wang Min
	France	Mr. Briens
	Gabon	Mr. Moungara Moussotsi
	Japan	Mr. Kodama
	Lebanon	Mr. Salam
	Mexico	Mr. Puente
	Nigeria	Mrs. Ogwu
	Russian Federation	Mr. Dolgov
	Turkey	Ms. Dinç
	Uganda	Mr. Mugoya
	United States of America	Mr. Grant

Agenda

The situation in Guinea-Bissau

Report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Integrated Peacebuilding Office in that country (S/2010/550)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-506.

10-64811 (E)

Please recycle

The meeting was called to order at 10.05 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Guinea-Bissau

Report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Integrated Peacebuilding Office in that country (S/2010/550)

The President: The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2010/591, which contains the text of a draft resolution submitted by Nigeria.

I wish to draw the attention of Council members to document S/2010/550, which contains the report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Integrated Peacebuilding Office in that country.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Austria, Bosnia and Herzegovina, Brazil, China, France, Gabon, Japan, Lebanon, Mexico, Nigeria, Russian Federation, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United States of America

The President: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1949 (2010).

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 10.10 a.m.

United Nations S/PV.6429

Security Council

Sixty-fifth year

Provisional

6429th meeting

Tuesday, 23 November 2010, 10.10 a.m.

New York

President:	Sir Mark Lyall Grant	(United Kingdom of Great Britain and Northern Ireland)
Members:	Austria	Mr. Lutterotti
	Bosnia and Herzegovina	Ms. Colakovic
	Brazil	Mrs. Dunlop
	China	Mr. Wang Min
	France	Mr. Araud
	Gabon	Mr. Moungara Moussotsi
	Japan	Mr. Kodama
	Lebanon	Mr. Salam
	Mexico	Mr. Puente
	Nigeria	Mrs. Ogwu
	Russian Federation	Mr. Panin
	Turkey	Mr. Apakan
	Uganda	Mr. Mugoya
	United States of America	Mr. Grant

Agenda

The situation in Somalia

Report of the Secretary-General pursuant to Security Council resolution 1897 (2009) (S/2010/556)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-506.

10-64817 (E)

Please recycle

The meeting was called to order at 10.10 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Somalia

Report of the Secretary-General pursuant to Security Council resolution 1897 (2009) (S/2010/556)

The President: I should like to inform the Council that I have received letters from the representatives of Canada, Denmark, Germany, Greece, Norway, Somalia and Ukraine, in which they request to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the consideration of the item without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Duale (Somalia), took a seat at the Council table; the representatives of the other aforementioned countries took the seats reserved for them at the side of the Council Chamber.

The President: The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2010/592, which contains the text of a draft resolution submitted by Austria, Bosnia and Herzegovina, Brazil, Canada, China, Denmark, France, Gabon, Germany, Greece, Japan, Lebanon, Mexico, Nigeria, Norway, the Russian Federation, Somalia, Turkey, Uganda, Ukraine, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

I wish to draw the attention of Council members to document S/2010/556, containing the report of the Secretary-General pursuant to Security Council resolution 1897 (2009).

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Austria, Bosnia and Herzegovina, Brazil, China, France, Gabon, Japan, Lebanon, Mexico, Nigeria, Russian Federation, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United States of America

The President: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1950 (2010).

The Security Council has thus concluded the present stage of its consideration of the item on its agenda. The Security Council will remain seized of the matter.

The meeting rose at 10.15 a.m.

United Nations S/PV.6430

Security Council

Sixty-fifth year

Provisional

6430th meeting

Tuesday, 23 November 2010, 10.15 a.m.

New York

President:	Sir Mark Lyall Grant	(United Kingdom of Great Britain and Northern Ireland)
Members:	Austria	Mr. Mayr-Harting
	Bosnia and Herzegovina	Ms. Čolaković
	Brazil	Mrs. Dunlop
	China	Mr. Wang Min
	France	Mr. Araud
	Gabon	Mr. Moungara Moussotsi
	Japan	Mr. Kodama
	Lebanon	Mr. Salam
	Mexico	Mr. Puente
	Nigeria	Mrs. Ogwu
	Russian Federation	Mr. Dolgov
	Turkey	Mr. Apakan
	Uganda	Mr. Mugoya
	United States of America	Ms. Rice

Agenda

The situation in the Middle East, including the Palestinian question

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-506.

10-64824 (E)

Please recycle

The meeting was called to order at 10.15 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East, including the Palestinian question

The President: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Lynn Pascoe, Under-Secretary-General for Political Affairs.

It is so decided.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Security Council will hear a briefing by Mr. Lynn Pascoe, to whom I now give the floor.

Mr. Pascoe: We are in the midst of a delicate period that will determine whether a resumption of Israeli-Palestinian peace talks is possible. The continued diplomatic impasse since the moratorium on settlement construction ended on 26 September is worrying. We believe that a return to talks is crucially important. Efforts are continuing to bring the parties back to the negotiating table. Israeli Prime Minister Netanyahu met with United States Secretary of State Clinton on 11 November. Discussions between the United States and the parties are ongoing.

There have also been consultations in the region to support those efforts. The League of Arab States Follow-up Committee of the Arab Peace Initiative deferred its meeting agreed upon in Sirte to allow more time for diplomatic efforts. Senior Egyptian interlocutors met with President Abbas in Ramallah on 29 October, and subsequently with Prime Minister Netanyahu on 5 November. On 20 November, President Abbas met with President Mubarak in Cairo and with League of Arab States Secretary-General Amr Moussa for discussions. United States efforts to re-start negotiations have reached a critical phase. It is essential that the parties engage seriously and make substantive progress quickly once the talks resume, with a view to resolving all permanent status issues. Quartet envoys have been in regular contact. We support a Quartet meeting soon to help move the process forward.

There has been significant construction in a number of settlements since the expiry of the partial settlement moratorium. There have also been announcements of plans to construct 1,300 settlement units in the Har Homa settlement in East Jerusalem, 32 units in the East Jerusalem settlement of Pisgat Ze'ev, as part of a plan to expand it by a further 220 units, and a further 800 units in the Ariel settlement, deep inside the West Bank. In his letter (S/2010/578) of 10 November to the President of the Security Council, the Permanent Observer of Palestine raised concerns about the impact of this renewed settlement activity on the prospects for talks.

The Secretary-General expressed his concern about these developments to Prime Minister Netanyahu when they met in New York on 8 November. We call on Israel to fulfil its Road Map obligation to freeze illegal settlement construction and not to implement plans for additional settlement units. In its 21 September statement, the Quartet recalled that unilateral actions taken by either party cannot prejudge the outcome of negotiations and will not be recognized by the international community. Previously, the Quartet had also reiterated that the annexation of East Jerusalem is not recognized by the international community and that the status of Jerusalem is a permanent status issue that must be resolved through negotiations between the parties.

The Palestinian Authority's State-building agenda continues to advance steadily, in accordance with Prime Minister Fayyad's strategy. However, the strategy requires adequate and sustainable financial backing. The recent and welcome support from donors has improved the Palestinian Authority's liquidity situation over the past month. However, the United Nations urges Member States to find additional resources to address outstanding shortfalls.

During the reporting period there was a decline in the number of violent incidents recorded in the West Bank. Palestinian security forces continued to maintain law and order and to fight extremism in accordance with Palestinian Road Map obligations. Security forces uncovered a significant arms cache in Ramallah on 22 October. A number of militants were also arrested during the reporting period, including a leader of

Islamic Jihad. A cell of Hamas militants was arrested by Palestinian security forces in Ramallah on 17 November.

International efforts to improve the capacity and strength of Palestinian security forces continue. A sixth battalion of Palestinian national security forces completed its training in Jordan on 10 November and will soon be deployed in the West Bank.

During the reporting period, Israeli security forces conducted 371 operations in the West Bank, in which 87 Palestinians were injured and 211 arrested, while four Israeli security personnel were injured. Those detained by Israel included Palestinians in possession of arms and members of the Hamas political wing, including the Secretary of the Palestinian Legislative Council.

There were 15 attacks by Palestinians on Israeli settlers, which resulted in injuries to four Israelis. On 30 October, shots were fired at an Israeli vehicle travelling near the village of Al-Walaja, north-west of Bethlehem.

The olive harvesting season took place during the reporting period. Attacks by Israeli settlers, including arson, the uprooting of thousands of olive trees belonging to Palestinians, vandalism and theft of agricultural equipment and crops, were reported on an almost daily basis, and in greater numbers than in the two previous olive harvests. On 22 October, Israeli settlers desecrated a Palestinian cemetery on the outskirts of the West Bank village of Kfar Kadum. There were 29 attacks by Israeli settlers against Palestinians or their property, in which 14 Palestinians were injured.

The construction on the barrier continues, with deviations from the Green Line in contravention of the advisory opinion of the International Court of Justice. The number of obstacles to movement in the West Bank has remained constant in recent months, at approximately 508.

While recognizing the Israeli Government's legitimate security concerns, it is important that international organizations and their staff are given greater access to the West Bank, East Jerusalem and Gaza to implement effectively their assistance projects. In that regard, we are concerned that there may be deterioration in access between East Jerusalem and the rest of the West Bank as a result of the proposed changes to the administration of the crossings.

In East Jerusalem, the situation in the Silwan neighbourhood, adjacent to the Old City, is tense. There have been continued confrontations between settlers and Palestinian residents. On 25 October, eviction orders were handed out to eight families living in Silwan. That led to violent clashes in which a Palestinian child was seriously injured by a rubber bullet.

The humanitarian community finalized its consolidated appeal for 2011, in full consultation with the Palestinian Authority. The appeal, which will be presented in Brussels on 30 November, articulates specific humanitarian strategies to address critical needs in Gaza and the West Bank, including East Jerusalem. We urge generous donors to support the consolidated appeal fully in order to prevent further deterioration in living conditions, especially in areas beyond Palestinian Authority control. Residents in Gaza and Area C of the West Bank remain among the most vulnerable.

I shall now turn to the situation in Gaza. During the reporting period, Palestinian militant groups fired eight rockets, including two Grad rockets, and 41 mortars from Gaza into Israel. Israeli security forces conducted 10 air strikes and 23 incursions into the Strip. Four Palestinian militants were killed, including three who died in targeted killings carried out by Israeli security forces. Without prejudice to Israel's right to legitimate and proportionate self-defence, we reiterate our consistent opposition to extra-judicial killing. Twenty civilians were injured during the reporting period, 12 of whom were injured collecting rubble in the restricted area along the perimeter fence. Three Palestinians died in accidents while working in smuggling tunnels. In a worrying escalation, Palestinian militant groups fired four phosphorus mortar shells into Israel on 19 November. Israel subsequently conducted three air strikes against tunnels along the Rafah crossing and a militant training facility. We continue to condemn rocket fire, which indiscriminately endangers civilians, and which must cease. We urge all parties to show calm and restraint and respect international humanitarian law.

On 21 October, a large explosion near Rafah resulted in more than 12 injured Palestinian civilians and extensive material damage. Hamas subsequently

admitted that the explosion was an accident that took place inside a training facility for its militants. On 10 November, a land-to-sea missile was test-fired by Palestinian militants over a densely populated Palestinian neighbourhood of Gaza. I reiterate my deep concern about all armed activity that puts civilians in danger or is aimed at civilian populations.

The priority of the United Nations remains the rebuilding of a viable Gazan economy in the framework of the full implementation of Security Council resolution 1860 (2009). That will take time, but there are a range of important steps that can begin the process, namely, the resumption of exports, the free movement of people into and out of Gaza and the return of the Palestinian Authority to the crossings. All of these represent achievable steps that are fundamental to Gaza's long-term recovery. Access to agricultural land along the Gaza border and to fishing areas, which are currently prohibited, are important elements for economic recovery, together with revival of the construction industry, with multiplier effects across all sectors.

The Israeli Government's 20 June decision on Gaza was a welcome and positive step, but it has not yet been fully translated into practice. The United Nations continues to work both to expand the flow of its reconstruction work in the Gaza Strip and to increase that work's pace of implementation. Both the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the United Nations Development Programme (UNDP) have now received written Israeli approval for the implementation of programmes of work worth approximately $80 million. However, approval and implementation procedures remain slow and bureaucratic. Capacity at the crossings is critical. As noted in the last Security Council briefing (see S/PV.6404), the United Nations remains concerned about capacity at the Karni crossing for the entry of aggregate and essential wheat grain. We call on Israel to facilitate the timely entry of construction materials for the implementation of approved United Nations work and to allow the Organization's agencies to continue to expand the flow of reconstruction in the Gaza Strip.

During this reporting period there was an increase in the weekly number of truckloads entering the Gaza Strip, to 1,026, up from 940 in the previous reporting period, and from 566 in June, before the announcement of the new Israeli measures. However, the total number is still short of the 2,800 that were entering Gaza weekly in June 2007.

The water and sanitation situation in Gaza remains dire. Funding amounting to $15 million has been secured for the UNDP Khan Younis wastewater project, which was approved in March. I appeal to donors to assist in funding the outstanding $40 million needed for the project to be implemented.

The Rafah crossing continues to remain open for humanitarian passage to Egypt. I note that there was good cooperation between all of the relevant bodies in enabling the departure of pilgrims from Gaza for the annual hajj to Mecca.

Representatives of Fatah and Hamas met in Damascus on 9 November for further discussions on Palestinian reconciliation. Reports indicate that the meeting was inconclusive. We continue to support efforts to advance Palestinian reconciliation within the framework of the legitimate Palestinian Authority and the commitments of the Palestine Liberation Organization.

The date of 11 November marked 1,600 days since the capture of Israeli Staff Sergeant Gilad Shalit. We reiterate our call for his immediate release. Humanitarian access to him should be granted without conditions. There has been no apparent progress on the efforts to complete a prisoner exchange for some of the 9,000 Palestinian prisoners in Israeli jails.

The situation in the occupied Syrian Golan has remained stable, although settlement activity continues. On 2 November, the Israeli Government encouraged further settlement activity through the announcement of an initiative to give 140 one-dunum plots of land free to Israeli settlers in order to build further units. Also, legislation was passed yesterday in the Knesset requiring a two-thirds majority or, failing that, a national referendum to approve the return of any occupied territory in East Jerusalem or the Syrian Golan in the context of any political settlement.

I will not cover the situation in Lebanon in this briefing, as it was addressed in the Council in detail last week by the Special Coordinator for Lebanon, Mr. Michael Williams, and Assistant Secretary-General for Peacekeeping Operations Atul Khare, when they presented the Secretary-General's latest report (S/2010/565) on the state of implementation of resolution 1701 (2006).

In the period ahead, we must work to bring about a return to direct talks between the parties and to support an atmosphere on the ground conducive to quick and concrete progress in those talks, including a freeze on settlement activity in the occupied Palestinian territory. Prime Minister Netanyahu and President Abbas must show vision and leadership, rise above their domestic constraints and seize this opportunity to secure a historic and lasting peace. The Secretary-General remains committed to working with the parties and his international partners for an end to the occupation that began in 1967, for the establishment of a Palestinian State living side by side in peace and security with Israel and for a just, lasting and comprehensive peace in the Middle East, in accordance with relevant Security Council resolutions, the Road Map and the Arab Peace Initiative.

The President: I thank Mr. Pascoe for his briefing. In accordance with the understanding reached in the Council's prior consultations, I now invite Council members to informal consultations to continue our discussion of the matter.

The meeting rose at 11.30 a.m.

United Nations S/PV.6431

Security Council

Sixty-fifth year

Provisional

6431st meeting

Wednesday, 24 November 2010, 4.10 p.m.

New York

President:	Sir Mark Lyall Grant	(United Kingdom of Great Britain and Northern Ireland)
Members:	Austria	Ms. Liko
	Bosnia and Herzegovina	Mr. Barbalić
	Brazil	Mr. Moretti
	China	Mr. Sun Xiaobo
	France	Mr. Briens
	Gabon	Mr. Moungara Moussotsi
	Japan	Mr. Miyajima
	Lebanon	Mr. Assaf
	Mexico	Mr. Puente
	Nigeria	Mr. Onemola
	Russian Federation	Mr. Safronkov
	Turkey	Mr. Apakan
	Uganda	Mr. Rugunda
	United States of America	Mr. Grant

Agenda

The situation in Côte d'Ivoire

Letter dated 22 November 2010 from the Secretary-General addressed to the President of the Security Council (S/2010/601)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-506.

10-65234 (E)

Please recycle

The meeting was called to order at 4.10 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Côte d'Ivoire

Letter dated 22 November 2010 from the Secretary-General addressed to the President of the Security Council (S/2010/601)

The President: I should like to inform the Council that I have received a letter from the representative of Côte d'Ivoire, in which he requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the consideration of the item without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. N'Gbichi (Côte d'Ivoire) took a seat at the Council table.

The President: The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2010/602, which contains the text of a draft resolution submitted by France and the United States of America.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Austria, Bosnia and Herzegovina, Brazil, China, France, Gabon, Japan, Lebanon, Mexico, Nigeria, Russian Federation, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United States of America

The President: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1951 (2010).

The Security Council has thus concluded the present stage of its consideration of the item on its agenda. The Security Council will remain seized of the matter.

The meeting rose at 4.15 p.m.